
WYONG SHIRE COUNCIL

REPORTS TO THE ORDINARY MEETING OF COUNCIL TO BE HELD IN THE COUNCIL CHAMBER, WYONG CIVIC CENTRE, HELY STREET, WYONG ON WEDNESDAY, 23 MAY 2007, COMMENCING AT 5.00 PM

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ORDINARY MEETING OF COUNCIL

23 May 2007

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WYONG SHIRE COUNCIL

23 May 2007
To the Ordinary Meeting of Council

General Manager's Report

190 Disclosure of Interests

F2006/02282 MW:SW

The provisions of Chapter 14 of the *Local Government Act, 1993* regulate the way in which Councillors and nominated staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public trust.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest must be disclosed as soon as practicable after the start of the meeting and the reasons for declaring such interest.

As members are aware, the provisions of the *Local Government Act* restrict any member who has declared a pecuniary interest in any matter from participating in the discussions, voting on that matter, and require that member to vacate the Chamber.

Council's Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code also provides for a number of ways in which a member may manage non pecuniary conflicts of interest.

RECOMMENDATION

That Councillors now disclose any interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.

WYONG SHIRE COUNCIL

23 May 2007
To the Ordinary Meeting of Council

General Manager's Report

191 Proposed Inspections

F2006/02282 MW:SW

SUMMARY

Inspections proposed to be held on 23 May 2007 and prior to the second Ordinary Meeting are listed as follows:

Date of Inspection	Location	Requested By
23 May 2007	Wadalba Sporting Fields	Director Shire Services
23 May 2007	Valhalla Village 25 Mulloway Road, Chain Valley Bay	Director Shire Planning
23 May 2007	Proposed Temporary Desalination Plant – Mannering Park	Director Shire Services
23 May 2007	Harry Moore Oval, Toukley	Director Shire Services
23 May 2007	Warrigal and Taylor Streets, The Entrance Round about and drainage works	Director Shire Services
23 May 2007	Upgrade to Lower Wyong River Transfer System, Old Maitland Road, Mardi	Director Shire Services

RECOMMENDATION

That the report on inspections to be conducted on Wednesday, 23 May 2007 be received and the information noted.

WYONG SHIRE COUNCIL

23 May 2007
To the Ordinary Meeting of Council

General Manager's Report

192 Proposed Briefings

F2006/02282 MW:SW

SUMMARY

Briefings proposed for this meeting and future meetings to be held in Wilfred Barrett and Tim Farrell Committee Rooms.

RECOMMENDATION

That the report be received and the information noted.

Date	Briefing	Description	Time	Presented by
6 June 2007	Workshop	Various Issues	12.00 noon – 6.00pm	General Manager
13 June 2007	CONFIDENTIAL - Population Capacity Projections	Outline preliminary work regarding population scenarios in response to the draft Central Coast Regional Strategy	11.00am – 12.00 noon	Acting Manager Future Planning
13 June 2007	Warnervale Town Centre	Warnervale Town Centre, WEZ and Railway Station Update	12.00 noon – 1.00pm	Acting Manager Future Planning
13 June 2007	Water Authority	Briefing prior to 20 June 2007 Board Meeting	1.00pm – 2.00pm	Shire Services Director
13 June 2007	Performing Arts Centre	Presentation of Design Brief and Site plan with consultant	2.00pm – 3.00pm	Cultural Planner

WYONG SHIRE COUNCIL

23 May 2007
To the Ordinary Meeting of Council

General Manager's Report

193 Address by Invited Speakers

F2006/02282 MW:SW

SUMMARY

There have been no requests to address the Ordinary Meeting at the time of printing the Business Paper.

RECOMMENDATION

- 1 *That the report on Invited Speakers be received and the information noted.*
- 2 *That, should speakers be present at the meeting, standing orders be varied to allow each item to be dealt with following the speaker's address.*

WYONG SHIRE COUNCIL

23 May 2007
To the Ordinary Meeting of Council

General Manager's Report

194 Notice of Intention to Deal with Matters in Confidential Session

F2006/02282 MW:SW

SUMMARY

It is necessary for the Council to adopt a resolution to formalise its intention to deal with certain matters in Confidential Session. The reports are incorporated in the "Confidential" business paper which has been circulated to Councillors.

The *Local Government Act, 1993* requires the General Manager to identify those matters listed on the business paper which may be categorised as confidential in terms of Section 10A of the *Local Government Act, 1993*.

RECOMMENDATION

- 1 *That pursuant to Section 10A(2)(e) and 10A(2)(b) of the Local Government Act, 1993, the following report be dealt with in Confidential Session:***

W006 – Deed of Settlement and Release Biseja Pty Ltd, NSI Group Pty Ltd and Vibro-Pile (Australia) Pty Ltd

W007 – Irrecoverable Debt
- 2 *That the reason for dealing with the Report No W006 confidentially is that it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.***
- 3 *That the reason for dealing with Report No W007 confidentially is that it contains personnel matters concerning the personal hardship of any resident or ratepayer.***
- 4 *That, in accordance with the Council resolution, the General Manager will report on these matters to the meeting in Confidential Session.***

WYONG SHIRE COUNCIL

23 May 2007
To the Ordinary Meeting of Council

General Manager's Report

195 Confirmation of Minutes of Previous Meeting

F2006/02282 MW:SW

SUMMARY

Confirmation of minutes of the previous Ordinary Meeting of Council held on 9 May 2007.

RECOMMENDATION

That the minutes of the previous Ordinary Meeting of Council held on 9 May 2007 be received and confirmed.

WYONG SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON WEDNESDAY, 9 MAY 2007,
COMMENCING AT 5.03 PM

PRESENT

COUNCILLORS R L GRAHAM (CHAIRPERSON), G P BEST, D J EATON, K M FORSTER, B J PAVIER, N T ROSE, R E STEWART, R C STEVENS, C W VEUGEN AND W J WELHAM.

IN ATTENDANCE

GENERAL MANAGER, DIRECTOR SHIRE SERVICES, DIRECTOR CORPORATE SERVICES, DIRECTOR SHIRE PLANNING, MANAGER DEVELOPMENT ASSESSMENT, ACTING MANAGER FUTURE PLANNING AND AN ADMINISTRATION OFFICER.

THE MAYOR, COUNCILLOR R L GRAHAM, DECLARED THE MEETING OPEN AT 5.03 PM AND PASTOR CHRIS RUBY READ THE OPENING PRAYER.

APOLOGIES

THERE WERE NO APOLOGIES.

THE REPORTS WERE CONSIDERED IN THEIR CORRECT AGENDA SEQUENCE.

Minutes of the Ordinary Meeting of Council held on 9 May 2007 (contd)

165 Disclosure of Interests

F2006/02282 ED:MR

180 PROPOSED COUNCILLORS' COMMUNITY IMPROVEMENT GRANTS

COUNCILLOR PAVIER DECLARED A PECUNIARY CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HIS FAMILY HAS BEEN ASKED TO QUOTE FOR AMUSEMENTS FOR ONE OF THE APPLICANTS IN THE REPORT, LEFT THE CHAMBER AT 6.28 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 6.30 PM.

180 PROPOSED COUNCILLORS' COMMUNITY IMPROVEMENT GRANTS

COUNCILLOR BEST DECLARED AN INSIGNIFICANT NON-PECUNIARY CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HIS FATHER IS A MEMBER OF THE ASBESTOS DISEASE FOUNDATION AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

COUNCILLOR BEST STATED:

"I CHOOSE TO REMAIN IN THE CHAMBER AND PARTICIPATE IN DISCUSSION AND VOTING AS THE CONFLICT HAS NOT INFLUENCED ME IN CARRYING OUT MY PUBLIC DUTY BECAUSE THIS IS A MINOR MATTER."

185 COMMUNITY BENEFIT GRANTS PANEL – 11 APRIL 2007

COUNCILLOR WELHAM DREW ATTENTION TO ITEM NO CBG04 OF THE MINUTES OF THE COMMUNITY BENEFITS GRANTS PANEL – 11 APRIL 2007 WHICH WERE ATTACHED TO REPORT NO 185 – COMMUNITY BENEFITS GRANTS PANEL. THESE MINUTES INCORRECTLY STATE THAT "*HE DECLARED AN INSIGNIFICANT CONFLICT IN RELATION TO THE SAN REMO COMMUNITY ENVIRONMENT PROJECT INC*" - WHEN HE ACTUALLY STATED THAT IT BE NOTED THAT HE WAS THE MAYOR'S REPRESENTATIVE OF THAT COMMITTEE AND THEREFORE DID NOT NEED TO MAKE AN INSIGNIFICANT CONFLICT OF INTEREST DECLARATION.

Note: The Minutes have been amended accordingly.

W003 DEED OF AGREEMENT WITH F HANNAN PTY LTD

COUNCILLOR EATON DECLARED A PECUNIARY CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HE IS THE SOLICITOR FOR TWO RESPONDENTS IN A COURT CASE WITH F HANNAN, LEFT THE CHAMBER AT 7.50 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 8.10 PM.

W003 DEED OF AGREEMENT WITH F HANNAN PTY LTD

COUNCILLOR ROSE DECLARED AN INSIGNIFICANT NON-PECUNIARY CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT F HANNAN MADE A SMALL DONATION TO THE AUSTRALIAN LABOUR PARTY LOCAL GOVERNMENT CAMPAIGN AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

COUNCILLOR ROSE STATED:

"I CHOOSE TO REMAIN IN THE CHAMBER AND PARTICIPATE IN DISCUSSION AND VOTING AS THE CONFLICT HAS NOT INFLUENCED ME IN CARRYING OUT MY PUBLIC DUTY BECAUSE THE DONATION WAS MADE TO THE AUSTRALIAN LABOR PARTY AND I DID NOT BENEFIT DIRECTLY."

Minutes of the Ordinary Meeting of Council held on 9 May 2007 (contd)

W003 DEED OF AGREEMENT WITH F HANNAN PTY LTD

COUNCILLOR FORSTER DECLARED AN INSIGNIFICANT NON-PECUNIARY CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT F HANNAN MADE A DONATION TO THE AUSTRALIAN LABOUR PARTY ELECTION CAMPAIGN (LOCAL GOVERNMENT 2004) AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

COUNCILLOR FORSTER STATED:

"I CHOOSE TO REMAIN IN THE CHAMBER AND PARTICIPATE IN DISCUSSION AND VOTING AS THE CONFLICT HAS NOT INFLUENCED ME IN CARRYING OUT MY PUBLIC DUTY BECAUSE THE DONATION WAS OF A RELATIVELY SMALL AMOUNT, WITHOUT ANY DISCUSSION OR EXPECTATIONS ATTACHED."

W003 DEED OF AGREEMENT WITH F HANNAN PTY LTD

COUNCILLOR WELHAM DECLARED AN INSIGNIFICANT NON-PECUNIARY CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT F HANNAN MADE A SMALL DONATION TO THE AUSTRALIAN LABOUR PARTY ELECTION CAMPAIGN (LOCAL GOVERNMENT 2004) AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

COUNCILLOR WELHAM STATED:

"I CHOOSE TO REMAIN IN THE CHAMBER AND PARTICIPATE IN DISCUSSION AND VOTING AS THE CONFLICT HAS NOT INFLUENCED ME IN CARRYING OUT MY PUBLIC DUTY BECAUSE THE CONTRIBUTION WAS RELATIVELY SMALL IN THE CONTEXT OF THE TOTAL CAMPAIGN BUDGET AND AT NO TIME WAS THERE ANY EXPECTATIONS ATTACHED TO THE DONATION."

W004 LAND AND ENVIRONMENT COURT PROCEEDINGS 10139 OF 2007: 708 PACIFIC HIGHWAY, HAMLYN TERRACE – DA/1482/2006

COUNCILLOR EATON DECLARED A SIGNIFICANT NON PECUNIARY CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT THE APPLICANT AND FAMILY COMPANY HAVE CONTRACTUAL ISSUES, LEFT THE CHAMBER AT 7.50 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 8.10 PM.

178 POSITION OF GENERAL MANAGER

THE GENERAL MANAGER, MR KERRY YATES DECLARED A PECUNIARY INTEREST IN THE MATTER FOR THE REASON THAT IT IS HIS CONTRACT AND HE DID NOT PARTICIPATE IN CONSIDERATION OF THIS MATTER.

RESOLVED unanimously on the motion of Councillor FORSTER and seconded by Councillor STEVENS:

That the report be received and advice of disclosures noted.

Minutes of the Ordinary Meeting of Council held on 9 May 2007 (contd)

166 Proposed Inspections

F2006/02282 ED:MR

COUNCILLOR BEST LEFT THE CHAMBER AT 5.08 PM AND RETURNED TO THE CHAMBER AT 5.09 PM AND AS A RESULT TOOK NO PART IN VOTING.

RESOLVED unanimously on the motion of Councillor STEWART and seconded by Councillor ROSE:

That the report on inspections to be conducted on Wednesday, 23 May 2007 be received and the information noted.

167 Proposed Briefings

F2006/02282 ED:MR

RESOLVED unanimously on the motion of Councillor STEWART and seconded by Councillor BEST:

That the report be received and the information noted.

168 Address by Invited Speakers

F2006/02282 ED:MR

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor STEVENS:

- 1 That the report on Invited Speakers be received and the information noted.***
- 2 That, should speakers be present at the meeting, standing orders be varied to allow each item to be dealt with following the speaker's address.***

Minutes of the Ordinary Meeting of Council held on 9 May 2007 (contd)

169 Notice of Intention to Deal With Matters in Confidential Session

F2006/02282 ED:MR

RESOLVED unanimously on the motion of Councillor PAVIER and seconded by Councillor ROSE:

- 1 That pursuant to Sections 10A(2)(c), 10A(2)(d)(ii) and 10A(2)(g) of the Local Government Act, 1993, the following reports be dealt with in Confidential Session:**
 - W002 - Proposed Purchase of Land at 192 Virginia Road, Hamlyn Terrace for Drainage and Wildlife Corridor**
 - W003 - Deed of Agreement with F Hannan Pty Ltd**
 - W004 - Land and Environment Court Proceedings 10139 of 2007: 708 Pacific Highway, Hamlyn Terrace – DA/1482/2006**
 - W005 - Acquisition of Woongarra Sportsfields – Lots 85A and 86A DP 228337 Hakone Road, Woongarra.**
- 2 That the reason for dealing with the Report No W002 confidentially is that it is information that would, if disclosed, confer a commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council.**
- 3 That the reason for dealing with Report No W003 and W004 confidentially is that it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.**
- 4 That the reason for dealing with the Report No W005 confidentially is that it is information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.**
- 5 That, in accordance with the Council resolution, the General Manager will report on these matters to the meeting in Confidential Session.**

CONFIDENTIAL SESSION

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor FORSTER:

That Council move into Confidential Session with the press and public excluded, to consider the following reports:

Minutes of the Ordinary Meeting of Council held on 9 May 2007 (contd)

- W002 - Proposed Purchase of Land at 192 Virginia Road, Hamlyn Terrace for Drainage and Wildlife Corridor**
- W003 - Deed of Agreement with F Hannan Pty Ltd**
- W004 - Land and Environment Court Proceedings 10139 of 2007: 708 Pacific Highway, Hamlyn Terrace – DA/1482/2006**
- W005 - Acquisition of Woongarra Sportsfields – Lots 85A and 86A DP 228337 Hakone Road, Woongarra**

for the reasons contained in Report No 169 - Notice of Intention to Deal with Matters in Confidential Session.

OPEN SESSION

RESOLVED on the motion of Councillor STEWART and seconded by Councillor STEVENS:

That Council resume in Open Session.

THE GENERAL MANAGER REPORTED ON PROCEEDINGS OF THE CONFIDENTIAL SESSION OF THE ORDINARY MEETING OF COUNCIL AS FOLLOWS:

W002 Proposed Purchase of Land at 192 Virginia Road, Hamlyn Terrace for Drainage and Wildlife Corridor

F2007/00210 JMT

RESOLVED unanimously on the motion of Councillor STEWART and seconded by Councillor STEVENS:

- 1 That Council authorise the purchase of Lot 1 DP 130423 at 192 Virginia Road, Hamlyn Terrace and that the General Manager be authorised to bid at auction taking account of Council's valuation.**
- 2 That Council authorise the Common Seal of the Wyong Shire Council to be affixed to the Contract and Transfer between the Wyong Shire Council (as purchaser) and the Wyong Shire Council (as vendor).**
- 3 That Council authorise the Mayor and the General Manager to execute all documents relating to the Contract and Transfer between the Wyong Shire Council (as purchaser) and the Wyong Shire Council (as vendor).**
- 4 That Council propose classification of Lot 1 DP 130423 as Operational Land.**

Minutes of the Ordinary Meeting of Council held on 9 May 2007 (contd)

- 5** *That the proposed classification be advertised in accordance with Section 34 of the Local Government Act 1993.*
- 6** *That, if no adverse submissions are received, the classification be confirmed.*

W003 Deed of Agreement with F Hannan Pty Ltd

F2004/08355 DSS:RE

COUNCILLOR EATON DECLARED A PECUNIARY CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HE IS THE SOLICITOR FOR TWO RESIDENTS IN COURT CASE WITH F HANNAN, LEFT THE CHAMBER AT 7.50 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 8.10 PM.

COUNCILLOR ROSE DECLARED AN INSIGNIFICANT NON-PECUNIARY CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT F HANNAN MADE A SMALL DONATION TO THE AUSTRALIAN LABOUR PARTY LOCAL GOVERNMENT CAMPAIGN AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

COUNCILLOR ROSE STATED:

"I CHOOSE TO REMAIN IN CHAMBER AND PARTICIPATE IN DISCUSSION AND VOTING AS THE CONFLICT HAS NOT INFLUENCED ME IN CARRYING OUT MY PUBLIC DUTY BECAUSE THE DONATION WAS MADE TO THE AUSTRALIAN LABOR PARTY AND I DID NOT BENEFIT DIRECTLY"

COUNCILLOR FORSTER DECLARED AN INSIGNIFICANT NON-PECUNIARY CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT F HANNAN MADE A DONATION TO THE AUSTRALIAN LABOUR PARTY ELECTION CAMPAIGN (LOCAL GOVERNMENT 2004) AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

COUNCILLOR FORSTER STATED:

"I CHOOSE TO REMAIN IN CHAMBER AND PARTICIPATE IN DISCUSSION AND VOTING AS THE CONFLICT HAS NOT INFLUENCED ME IN CARRYING OUT MY PUBLIC DUTY BECAUSE THE DONATION WAS OF A RELTIVELY SMALL AMOUNT, WITHOUT ANY DISCUSSION OR EXPECTATIONS ATTACHED"

COUNCILLOR WELHAM DECLARED AN INSIGNIFICANT NON-PECUNIARY CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT F HANNAN MADE A SMALL DONATION TO THE AUSTRALIAN LABOUR PARTY ELECTION CAMPAIGN (LOCAL GOVERNMENT 2004) AND PARTICIPATED IN CONSIDERATION OF THIS MATTER

COUNCILLOR WELHAM STATED:

"I CHOOSE TO REMAIN IN CHAMBER AND PARTICIPATE IN DISCUSSION AND VOTING AS THE CONFLICT HAS NOT INFLUENCED ME IN CARRYING OUT MY PUBLIC DUTY BECAUSE THE CONTRIBUTION RELTIVELY SMALL IN THE CONTEXT OF THE TOTAL CAMPAIGN BUDGET AND AT NO TIME WAS THERE ANY EXPECTATIONS ATTACHED TO THE DONATION."

Minutes of the Ordinary Meeting of Council held on 9 May 2007 (contd)

RESOLVED on the motion of Councillor STEVENS and seconded by Councillor PAVIER:

- 1 That Council authorise the Common Seal of Wyong Shire Council to be affixed to the final Deed of Agreement between Wyong Shire Council and F Hannan Pty Ltd.**
- 2 That Council authorise the Mayor and the General Manager to execute all documents relating to the final Deed of Agreement between Wyong Shire Council and F Hannan Pty Ltd.**

FOR: COUNCILLORS FORSTER, GRAHAM, PAVIER, ROSE, STEVENS, STEWART AND WELHAM.

AGAINST: COUNCILLORS BEST AND VEUGEN.

**W004 Land and Environment Court Proceedings 10139 of 2007: 708
Pacific Highway, Hamlyn Terrace – DA/1482/2006**

DA/1482/2006

COUNCILLOR EATON DECLARED A SIGNIFICANT NON PECUNIARY CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT THE APPLICANT AND FAMILY COMPANY HAVE CONTRACTUAL ISSUES, LEFT THE CHAMBER AT 7.50 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 8.10 PM.

RESOLVED unanimously on the motion of Councillor WELHAM and seconded by Councillor STEVENS:

- 1 That the report and legal advice be received and information noted.**
- 2 That Council enter into Consent Orders for the Court to issue consent for the development.**
- 3 That the General Manager be authorised to action Council's decision; including the imposition of appropriate conditions.**

Minutes of the Ordinary Meeting of Council held on 9 May 2007 (contd)

**W005 Acquisition of Woongarra Sportsfields – Lots 85A and 86A,
DP 228337 Hakone Road, Woongarra**

F2004/08355 DJM:RE

RESOLVED unanimously on the motion of Councillor WELHAM and seconded by Councillor STEVENS:

- 1 That Council authorise the acquisition of Lots 85A and 86A DP 228337 Hakone Road, Woongarra (total area 5.82ha) for the amount and on the terms set out in this report.**
- 2 That Council propose classification of Lots 85A and 86A DP 228337 Hakone Road, Woongarra as Operational Land.**
- 3 That the proposal be advertised in accordance with Section 34 of the Local Government Act, 1993.**
- 4 That, if no adverse submissions are received, the classification be confirmed.**
- 5 That Council authorise for the Common Seal of the Wyong Shire Council to be affixed to the Transfer between the owner of Lots 85A and 86A DP 228337 Hakone Road, Woongarra and Wyong Shire Council.**
- 6 That Council authorise the Mayor and the General Manager to execute all documents relating to the Transfer between the Wyong Shire Council and the owner of Lots 85A and 86A DP 228337 Hakone Road, Woongarra.**
- 7 That Council's Section 149 Certificates be noted.**

170 Confirmation of Minutes of Previous Meeting

F2006/02282 ED:MR

RESOLVED unanimously on the motion of Councillor STEVENS and seconded by Councillor PAVIER:

That the minutes of the previous Ordinary Meeting of Council held on 11 April 2007 be received and confirmed.

BUSINESS ARISING FROM THE MINUTES

Councillor PAVIER asked with regard to Report 155 – Conferences 2007 that he be provided with information on Councillor voting recorded when Council last considered its policy on attendance at Conferences.

Minutes of the Ordinary Meeting of Council held on 9 May 2007 (contd)

171 Proposed Development at Catherine Hill Bay

DA/734/2005 JLC:JLC

THIS ITEM WAS WITHDRAWN**172 Borg Manufacturing - Deed of Agreement**

DA/545/2006 WKW

RESOLVED unanimously on the motion of Councillor EATON and seconded by Councillor STEWART:

- 1 That Council endorse the creation of a Deed of Agreement.**
- 2 That Council authorise the common seal of Wyong Shire Council to be affixed to the Deed of Agreement between Wyong Shire Council, Borg Group Pty Ltd and Darren and Dianna Borg.**
- 3 That Council authorise the Mayor and General Manager to execute the deed of agreement.**

173 Tenders for CPA 116777 Lower Wyong River to Mardi Dam Transfer Upgrade Construction

CPA/116777

COUNCILLOR WELHAM LEFT THE CHAMBER AT 5.15 PM AND RETURNED TO THE CHAMBER AT 5.17 PM AND AS A RESULT TOOK NO PART IN VOTING.

RESOLVED unanimously on the motion of Councillor STEVENS and seconded by Councillor STEWART:

- 1 That Council accept the Tender Alternative 1 of Diona Pty Ltd in the estimated Schedule of Rates amount of \$3,698,203.09 including GST (\$3,362,002.81 excluding GST).**
- 2 That Council approve a contingency amount of \$370,000 including GST (\$336,363.64 excluding GST), representing approximately 10% of the contract value, to provide for any unforeseen variations or additional works that may become necessary during the course of the project.**

Minutes of the Ordinary Meeting of Council held on 9 May 2007 (contd)

174 Contract CPA/94060 – Provision of Communication Services

CPA/94060 GJA:CM

COUNCILLOR WELHAM LEFT THE CHAMBER AT 5.15 PM AND RETURNED TO THE CHAMBER AT 5.17 PM.

It was MOVED by Councillor STEVENS and seconded by Councillor GRAHAM:

- 1 *That Council accept the offer tendered by Optus Pty Ltd for mobile voice services with call rates set for a period of two years with the option available to Council of two yearly extensions for a maximum of up to six years commencing on 1 April 2007. The expenditure is estimated to be \$107,000 per annum including GST however actual expenditure may vary significantly with fluctuations in demand.*
- 2 *That Council accept the offer tendered by Macquarie Telecom Pty Ltd for fixed landline services with call rates set for a period of two years with the option available to Council of two yearly extensions for a maximum of up to six years commencing on 1 April 2007. The expenditure, including Service and Equipment charges, is estimated to be \$532,000 per annum including GST however actual expenditure may vary significantly with fluctuations in demand.*
- 3 *That Council reject all of the tendered offers for Internet services and continue to utilise these services from the current supplier as none of the tenders received were competitive. Continuing to use the current arrangement represents the most cost effective solution for Council.*
- 4 *That Council defer the decision for Wide Area Network.*
- 5 *That Council approve the acquisition of "Gateway" technology to take advantage of the new mobile services offered by Optus.*

An AMENDMENT was MOVED by Councillor EATON and SECONDED by Councillor BEST:

- 1 *That Council decline to accept any tender for mobile phone services and staff report back on this issue in conjunction with other tender processes outlined in the staff report.*
- 2 *That Council accept the offer tendered by Macquarie Telecom Pty Ltd for fixed landline services with call rates set for a period of two years with the option available to Council of two yearly extensions for a maximum of up to six years commencing on 1 April 2007. The expenditure, including Service and Equipment charges, is estimated to be \$532,000 per annum including GST however actual expenditure may vary significantly with fluctuations in demand.*
- 3 *That Council reject all of the tendered offers for Internet services and continue to utilise these services from the current supplier as none of the tenders received were competitive. Continuing to use the current arrangement represents the most cost effective solution for Council.*

Minutes of the Ordinary Meeting of Council held on 9 May 2007 (contd)

- 4 *That Council defer the decision for Wide Area Network.*
- 5 *That Council approve the acquisition of "Gateway" technology to take advantage of the new mobile services offered by Optus.*

FOR: COUNCILLORS EATON and WELHAM

AGAINST: COUNCILLORS BEST, FORSTER, GRAHAM, PAVIER, ROSE, STEVENS, STEWART AND VEUGEN.

The AMENDMENT was put to the VOTE and declared LOST.

The MOTION was put to the vote and declared CARRIED.

RESOLVED on the motion of Councillor STEVENS and seconded by Councillor GRAHAM:

- 1 ***That Council accept the offer tendered by Optus Pty Ltd for mobile voice services with call rates set for a period of two years with the option available to Council of two yearly extensions for a maximum of up to six years commencing on 1 April 2007. The expenditure is estimated to be \$107,000 per annum including GST however actual expenditure may vary significantly with fluctuations in demand.***
- 2 ***That Council accept the offer tendered by Macquarie Telecom Pty Ltd for fixed landline services with call rates set for a period of two years with the option available to Council of two yearly extensions for a maximum of up to six years commencing on 1 April 2007. The expenditure, including Service and Equipment charges, is estimated to be \$532,000 per annum including GST however actual expenditure may vary significantly with fluctuations in demand.***
- 3 ***That Council reject all of the tendered offers for Internet services and continue to utilise these services from the current supplier as none of the tenders received were competitive. Continuing to use the current arrangement represents the most cost effective solution for Council.***
- 4 ***That Council defer the decision for Wide Area Network.***
- 5 ***That Council approve the acquisition of "Gateway" technology to take advantage of the new mobile services offered by Optus.***

FOR: COUNCILLORS BEST, FORSTER, GRAHAM, PAVIER, ROSE, STEVENS, STEWART AND VEUGEN.

AGAINST: COUNCILLORS EATON AND WELHAM.

Minutes of the Ordinary Meeting of Council held on 9 May 2007 (contd)

175 Transfer of Land at Chain Valley Bay

F2006/02266 JMT

RESOLVED unanimously on the motion of Councillor PAVIER and seconded by Councillor ROSE:

- 1 That Council authorise action to seek vesting of Lot 390 DP 31564, Lloyd Avenue, Chain Valley Bay in Council as Drainage Reserve pursuant to Section 50 of the Local Government Act 1993.**
- 2 That Council publish a notice in the Government Gazette notifying that Lot 390 DP 31564 is vested in Council pursuant to Section 50 of the Local Government Act 1993.**
- 3 That Council authorise the Common Seal of Wyong Shire Council to be affixed to the Application to Record New Registered Proprietor.**
- 4 That Council authorise the Mayor and the General Manager to execute all documents relating to the Application to Record New Registered Proprietor.**
- 5 That Council propose classification of Lot 390 DP 31564 as Operational Land.**
- 6 That the proposal be advertised in accordance with Section 34 of the Local Government Act 1993.**
- 7 That, if no adverse submissions are received, the classification be adopted.**

176 Prospects for the Community Hall in Chittaway Road, Chittaway

F2006/00917 PF

RESOLVED on the motion of Councillor PAVIER and seconded by Councillor GRAHAM:

- 1 That Council take no further action to secure the fulltime letting of the Community Hall in Chittaway Road.**
- 2 That Council continue with the existing weekly hire arrangements of the hall to the Hellenic Community of the Central Coast Inc.**
- 3 That a report be brought back outlining the procedure involved in reclassifying and rezoning this parcel of land from Community to Operational and that the report include an estimated value for the land parcel.**

FOR: COUNCILLORS FORSTER, GRAHAM, PAVIER, ROSE, STEVENS, STEWART, VEUGEN AND WELHAM.

AGAINST: COUNCILLORS BEST AND EATON.

Minutes of the Ordinary Meeting of Council held on 9 May 2007 (contd)

177 Acquisition of Easement for Drainage at Gorokan

F2006/01487, F2006/01486 JMT

RESOLVED unanimously on the motion of Councillor EATON and seconded by Councillor STEVENS:

- 1 That Council acquire an easement for drainage of variable width over Lot 59 DP 232569 and Lot 579 DP 28352.**
- 2 That Council authorise the payment of compensation, if necessary, for the acquisition of the easement in Item 1 in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 and based on assessment by a qualified valuer.**
- 3 That Council proceed to compulsorily acquire the easement in the event that negotiations with the property owner cannot be satisfactorily resolved.**
- 4 That Council authorise the Common Seal of Wyong Shire Council to be affixed to the Transfer and/or Plan and to any necessary applications to the Department of Local Government for the approval of the Minister and the Governor in order to proceed with the compulsory acquisition.**
- 5 That Council authorise the Mayor and the General Manager to execute all documents relating to the Transfer and/or Plan and all documents relating to the applications to the Department of Local Government.**

178 Position of General Manager

F2006/01686 RS:SM

THE GENERAL MANAGER, MR KERRY YATES DECLARED A PECUNIARY INTEREST IN THE MATTER FOR THE REASON THAT IT IS HIS CONTRACT AND HE DID NOT PARTICIPATE IN CONSIDERATION OF THIS MATTER.

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor STEWART:

- 1 That Council authorise the Common Seal of Wyong Shire Council to be affixed to the General Manager's contract of employment.**
- 2 That the Council authorise the Mayor and one Councillor to execute all documents relating to the General Manager's contract of employment.**

Minutes of the Ordinary Meeting of Council held on 9 May 2007 (contd)

179 Revised Code of Meeting Practice

F2004/06502 CTB

It was MOVED by Councillor EATON and seconded by Councillor BEST:

- 1 *That Council adopt in principle the Revised Code of Meeting Practice and place it on public exhibition for 28 days in order to seek public comment, as required by section 361(2) and 361(3) of the Local Government Act, 1993.*
- 2 *That Council receive public submissions on the Revised Code Of Meeting Practice for the mandatory 42 days, as required by section 361(4) of the Local Government Act, 1993.*
- 3 *That a further report be brought back to Council following the exhibition.*
- 4 *That the proposed minimum period of minutes set out in Council's Code of Meeting Practice prior to the consideration of a rescission motion on a resolution passed at the same Council Meeting, referred to in the second last paragraph of Page 87 of the report, be set at 30 minutes.*

An AMENDMENT was MOVED by Councillor STEWART and SECONDED by Councillor STEVENS:

- 1 *That Council adopt in principle the Revised Code of Meeting Practice and place it on public exhibition for 28 days in order to seek public comment, as required by section 361(2) and 361(3) of the Local Government Act, 1993.*
- 2 *That Council receive public submissions on the Revised Code of Meeting Practice for the mandatory 42 days, as required by section 361(4) of the Local Government Act, 1993.*
- 3 *That a further report be brought back to Council following the exhibition.*
- 4 *That the proposed minimum period of minutes set out in Council's Code of Meeting Practice prior to the consideration of a rescission motion on a resolution passed at the same Council Meeting, referred to in the second last paragraph of Page 87 of the report, be changed to 30 minutes.*
- 5 *That the suggestion, outlined on Page 88 of the report under proposed changes to Clause 33 of the Code of Meeting Practice, to have no speakers on Notices of Motion and Rescission Motions be adopted.*
- 6 *That the time limit set, on Page 88 of the report, for speakers to talk and for any questions to the speakers be set at 30 minutes.*
- 7 *That there be no change to Councillor Briefings.*

Minutes of the Ordinary Meeting of Council held on 9 May 2007 (contd)

The AMENDMENT was put to the VOTE and declared LOST.

FOR: COUNCILLORS STEVENS AND STEWART.

AGAINST: COUNCILLORS BEST, EATON, FORSTER, GRAHAM, PAVIER, ROSE, VEUGEN AND WELHAM.

An AMENDMENT was MOVED by Councillor PAVIER and SECONDED by Councillor WELHAM:

- 1 *That Council adopt in principle the Revised Code of Meeting Practice and place it on public exhibition for 28 days in order to seek public comment, as required by section 361(2) and 361(3) of the Local Government Act, 1993.*
- 2 *That Council receive public submissions on the Revised Code of Meeting Practice for the mandatory 42 days, as required by section 361(4) of the Local Government Act, 1993.*
- 3 *That a further report be brought back to Council following the exhibition.*
- 4 *That paragraph 3 of Section 33 (2) on page 34 of the Draft Code of Meeting Practice be deleted.*
- 5 *That the proposal to allow rescission motions within the same meeting not proceed.*
- 6 *That there be no change to Councillor Briefings.*

The AMENDMENT was put to the VOTE and declared LOST.

FOR: COUNCILLORS PAVIER, STEVENS AND WELHAM.

AGAINST: COUNCILLORS BEST, EATON, FORSTER, GRAHAM, ROSE, STEWART AND VEUGEN.

An AMENDMENT was MOVED by Councillor FORSTER and SECONDED by Councillor STEWART:

- 1 *That Council adopt in principle the Revised Code of Meeting Practice and place it on public exhibition for 28 days in order to seek public comment, as required by section 361(2) and 361(3) of the Local Government Act, 1993.*
- 2 *That Council receive public submissions on the Revised Code of Meeting Practice for the mandatory 42 days, as required by section 361(4) of the Local Government Act, 1993.*
- 3 *That a further report be brought back to Council following the exhibition.*

Minutes of the Ordinary Meeting of Council held on 9 May 2007 (contd)

- 4 *That Section 39 part 9 of the Code of Meeting Practice be deleted.*
- 5 *That the suggestion, outlined on Page 88 of the report under proposed changes to Clause 33 of the Code of Meeting Practice, to have no speakers on Notices of Motion and Rescission Motions be adopted.*
- 6 *That the time limit set, on Page 88 of the report, for speakers to talk and for any questions to the speakers be set at 30 minutes.*
- 7 *That there be no change to Councillor briefings.*
- 8 *That paragraph 3 of Section 33 (2) on page 34 of the Draft Code of Meeting Practice be deleted.*

FOR: COUNCILLORS FORSTER, GRAHAM, ROSE, STEVENS AND STEWART.

AGAINST: COUNCILLORS BEST, EATON, PAVIER, VEUGEN AND WELHAM.

THE AMENDMENT WAS CARRIED ON THE CASTING VOTE OF THE MAYOR.

The AMENDMENT then became the MOTION was put to the vote and declared CARRIED.

FOR: COUNCILLORS FORSTER, GRAHAM, ROSE, STEVENS AND STEWART.

AGAINST: COUNCILLORS BEST, EATON, PAVIER, VEUGEN AND WELHAM.

THE MOTION WAS CARRIED ON THE CASTING VOTE OF THE MAYOR.

RESOLVED on the motion of Councillor FORSTER and seconded by Councillor STEWART:

- 1 ***That Council adopt in principle the Revised Code of Meeting Practice and place it on public exhibition for 28 days in order to seek public comment, as required by section 361(2) and 361(3) of the Local Government Act, 1993.***
- 2 ***That Council receive public submissions on the Revised Code of Meeting Practice for the mandatory 42 days, as required by section 361(4) of the Local Government Act, 1993.***
- 3 ***That a further report be brought back to Council following the exhibition.***
- 4 ***That Section 39 part 9 of the Code of Meeting Practice be deleted.***

Minutes of the Ordinary Meeting of Council held on 9 May 2007 (contd)

- 5 ***That the suggestion, outlined on Page 88 of the report under proposed changes to Clause 33 of the Code of Meeting Practice, to have no speakers on Notices of Motion and Rescission Motions be adopted.***
- 6 ***That the time limit set, on Page 88 of the report, for speakers to talk and for any questions to the speakers be set at 30 minutes.***
- 7 ***That there be no change to Councillor briefings.***
- 8 ***That paragraph 3 of Section 33 (2) on page 34 of the Draft Code of Meeting Practice be deleted.***

180 Proposed Councillors' Community Improvement Grants

F2006/00788 SG

COUNCILLOR PAVIER DECLARED A PECUNIARY CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HIS FAMILY HAS BEEN ASKED TO QUOTE FOR AMUSEMENTS FOR ONE OF THE APPLICANTS IN THE REPORT, LEFT THE CHAMBER AT 6.28 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 6.30 PM.

COUNCILLOR BEST DECLARED AN INSIGNIFICANT NON-PECUNIARY CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HIS FATHER IS A MEMBER OF THE ASBESTOS DISEASE FOUNDATION AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

COUNCILLOR BEST STATED:

"I CHOOSE TO REMAIN IN THE CHAMBER AND PARTICIPATE IN DISCUSSION AND VOTING AS THE CONFLICT HAS NOT INFLUENCED ME IN CARRYING OUT MY PUBLIC DUTY BECAUSE THIS IS A MINOR MATTER.

RESOLVED unanimously on the motion of Councillor BEST and seconded by Councillor STEVENS:

- 1 ***That an amount of \$12,600 be allocated from the 2006/2007 Councillors' Community Improvement Grants as outlined in Attachment 1.***
- 2 ***That the amount of \$350 allocated to Toukley Fun N Fitness Group at the 28 March 2007 Ordinary Meeting of Council for public liability insurance, be reallocated towards new equipment for the group.***

Minutes of the Ordinary Meeting of Council held on 9 May 2007 (contd)

181 Anti Social Behaviour in the Vicinity of Blue Bell Park, Berkeley Vale

F2004/00694 IR:LM

COUNCILLOR VEUGEN LEFT THE CHAMBER AT 6.45 PM AND RETURNED TO THE CHAMBER AT 6.47PM.

It was MOVED by Councillor GRAHAM and SECONDED by Councillor PAVIER:

That Council install lighting in Blue Bell Park in the 2007/08 financial year and that funding for this work be sourced from the Sportsfield Floodlight Upgrading account.

An AMENDMENT was MOVED by Councillor WELHAM and SECONDED by Councillor ROSE

That the matter be deferred for an inspection and a briefing on funding options and to flesh out further opportunities for engaging youth after dark in this area.

The MOTION was withdrawn and the AMENDMENT became the MOTION which was put to the vote and declared CARRIED.

RESOLVED on the motion of Councillor WELHAM and seconded by Councillor ROSE:

That the matter be deferred for an inspection and a briefing on funding options and to flesh out further opportunities for engaging youth after dark in this area.

FOR: COUNCILLORS BEST, FORSTER, GRAHAM, PAVIER, ROSE, STEVENS, STEWART AND WELHAM.

AGAINST: COUNCILLORS EATON AND VEUGEN.

182 WaterPlan 2050 – Water and Sewerage

F2006/02278 GC:GC

COUNCILLOR WELHAM LEFT THE CHAMBER AT 7.05 PM AND RETURNED TO THE CHAMBER AT 7.07 PM.

COUNCILLOR PAVIER LEFT THE CHAMBER AT 7.06 PM AND RETURNED TO THE CHAMBER AT 7.12 PM.

It was MOVED by Councillor ROSE and seconded by Councillor STEVENS:

That the recommended WaterPlan 2050 strategy be adopted for the purpose of exhibition and placed on public exhibition for a period of six weeks.

Minutes of the Ordinary Meeting of Council held on 9 May 2007 (contd)

An *AMENDMENT* was *MOVED* by Councillor *EATON* and *SECONDED* by Councillor *VEUGEN*:

That the recommended WaterPlan 2050 strategy be adopted for the purpose of exhibition and placed on public exhibition for a period of six weeks with the following amendments to the water source options:

Option 1 – Permanent Desalination Plant

Option 2 – Lower Wyong River to Mangrove Creek dam transfer system.

The AMENDMENT was put to the VOTE and declared LOST.

FOR: COUNCILLOR *EATON*.

AGAINST: COUNCILLORS *BEST, FORSTER, GRAHAM, PAVIER, ROSE, STEVENS, STEWART, VEUGEN AND WELHAM*.

The MOTION was put to the vote and declared CARRIED.

RESOLVED on the motion of Councillor ROSE and seconded by Councillor STEVENS:

That the recommended WaterPlan 2050 strategy be adopted for the purpose of exhibition and placed on public exhibition for a period of six weeks.

FOR: COUNCILLORS *FORSTER, GRAHAM, ROSE, STEVENS, STEWART, VEUGEN AND WELHAM*.

AGAINST: COUNCILLORS *BEST, EATON AND PAVIER*.

183 Appointment of Independent Members of the Governance Committee

F2004/06646 JS:JS

RESOLVED unanimously on the motion of Councillor FORSTER and seconded by Councillor WELHAM:

- 1 That Messrs David Holmes and Bruce Turner be appointed as independent members of the Governance Committee of Wyong Shire Council at a remuneration of \$5,000 per annum with effect from 1 July 2007 until the end of the term of this Council.***
- 2 That Councillor ROSE, Councillor STEWART and Councillor STEVENS retain their positions on the Governance Committee of Wyong Shire Council.***

Minutes of the Ordinary Meeting of Council held on 9 May 2007 (contd)

184 Gosford and Wyong Councils' Water Authority Board Meeting

F2004/06808

COUNCILLOR FORSTER LEFT THE CHAMBER AT 7.22 PM AND RETURNED TO THE CHAMBER AT 7.27 PM AND AS A RESULT TOOK NO PART IN VOTING.

RESOLVED unanimously on the motion of Councillor ROSE and seconded by Councillor STEVENS:

That the minutes of the Gosford and Wyong Councils' Water Authority Board meeting held on 18 April 2007 be received and the recommendations contained therein, adopted.

185 Community Benefit Grants Panel – 11 April 2007

F2005/01881 MW

COUNCILLOR WELHAM DREW ATTENTION TO ITEM NO CBG04 OF THE MINUTES OF THE COMMUNITY BENEFITS GRANTS PANEL – 11 APRIL 2007 WHICH WERE ATTACHED TO REPORT NO 185 – COMMUNITY BENEFITS GRANTS PANEL. THESE MINUTES INCORRECTLY STATE THAT “HE DECLARED AN INSIGNIFICANT CONFLICT IN RELATION TO THE SAN REMO COMMUNITY ENVIRONMENT PROJECT INC” - WHEN HE ACTUALLY STATED THAT IT BE NOTED THAT HE WAS THE MAYOR'S REPRESENTATIVE OF THAT COMMITTEE AND THEREFORE DID NOT NEED TO MAKE AN INSIGNIFICANT CONFLICT OF INTEREST DECLARATION.

RESOLVED unanimously on the motion of Councillor WELHAM and seconded by Councillor STEVENS:

- 1 That the reports and recommendations of the Community Benefit Grants Panel be received and the recommendations contained therein be adopted.***
- 2 That further rounds of Community Benefits Grants be promoted extensively by the Communications Staff.***

Minutes of the Ordinary Meeting of Council held on 9 May 2007 (contd)

186 Information Reports

F2006/02282 ED:MR

RESOLVED unanimously on the motion of Councillor WELHAM and seconded by Councillor STEWART:

That the Information Reports of the Ordinary Meeting of Council be dealt with by the exception method.

RESOLVED unanimously on the motion of Councillor WELHAM and seconded by Councillor STEWART:

That the Information Reports and recommendations of the Ordinary Meeting of Council be received and the information noted.

187 Population, Infrastructure and Services Summit

F2006/01713 DSS:RE

RESOLVED unanimously on the motion of Councillor WELHAM and seconded by Councillor STEWART:

That the report be received and the information noted.

188 Schedule of Bank Balances and Investments – March 2007

F2004/06604 KF

RESOLVED unanimously on the motion of Councillor WELHAM and seconded by Councillor STEWART:

That the report be received and the information noted.

189 Outstanding Questions Without Notice and Notices of Motion

F2006/02282 MW:SW

RESOLVED unanimously on the motion of Councillor WELHAM and seconded by Councillor STEWART:

That the report be received and the information noted.

Minutes of the Ordinary Meeting of Council held on 9 May 2007 (contd)

QUESTIONS WITHOUT NOTICE ASKED**Q042 - Availability of Webmail on Council's System****Councillor Eaton**

F2004/00210

"Could Council investigate and report on making Webmail available on Council's system for remote processing of E-mails?"

Q043 – Extensive Tree Clearing Along Pacific Highway at Lake Munmorah**Councillor Eaton**

F2004/00607

"Could staff report on extensive tree clearing along the Pacific Highway at Lake Munmorah in the last few days?"

Q044 – Directional Signs on Pacific Highway/Johns Road Roundabout**Councillor Welham**

F2004/05503

"Could staff approach the RTA to have directional signage installed on the approach to the Pacific Highway/Johns Road Roundabout to assist drivers in understanding turning movements and visitors to the area being able to locate items along Pollock Avenue such as the Regional Sporting Complex, Kooindah Waters Resort, Hopetown School and Wycare?"

Q045 – Traffic Signals at Intersection of Main Road and Victoria Avenue, Toukley**Councillor Welham**

F2007/00728

"Could staff approach the RTA to review the traffic signals at the intersection of Main Road and Victoria Avenue, Toukley to improve visibility of the lights for drivers?"

Q046 - DA Approvals for Upgrades/Renovations at Council Owned Caravan Parks**Councillor Veugen**

F2004/05316

"Could staff provide a report into the number of approved Development Applications for upgrades/renovations to sites within Council owned caravan parks in the past 12 months including if there was any acknowledgement on the approvals of any future planned upgrades to these parks or on particular sites approved. Can this report be provided to the next round of Council?"

Minutes of the Ordinary Meeting of Council held on 9 May 2007 (contd)

Q047 - Informal Briefing**Councillor Best**

F2004/06395

“Mr General Manager, further to Councillor Veugen’s Q034 dated 28 March 2007. In recent discussions with our new State Local Members Mr David Harris, Wyong and Mr Greg Piper, Lake Macquarie, it was agreed that they would be delighted to attend an informal briefing to be held on a Council off Wednesday, covering key and strategically significant issues while affording the Members, Councillors and staff the opportunity to informally meet in a productive and networking environment. Such a briefing should also include Mr Robert Coombs, the new State Member for Swansea.

Could the General Manager advise on likely timeframes and possible agenda items for Council’s consideration?”

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 8.13 PM.

.....
CHAIRPERSON

WYONG SHIRE COUNCIL

23 May 2007
To the Ordinary Meeting of Council

196 Notice of Motion – Deletion of Gun Nozzle from Refit Kit

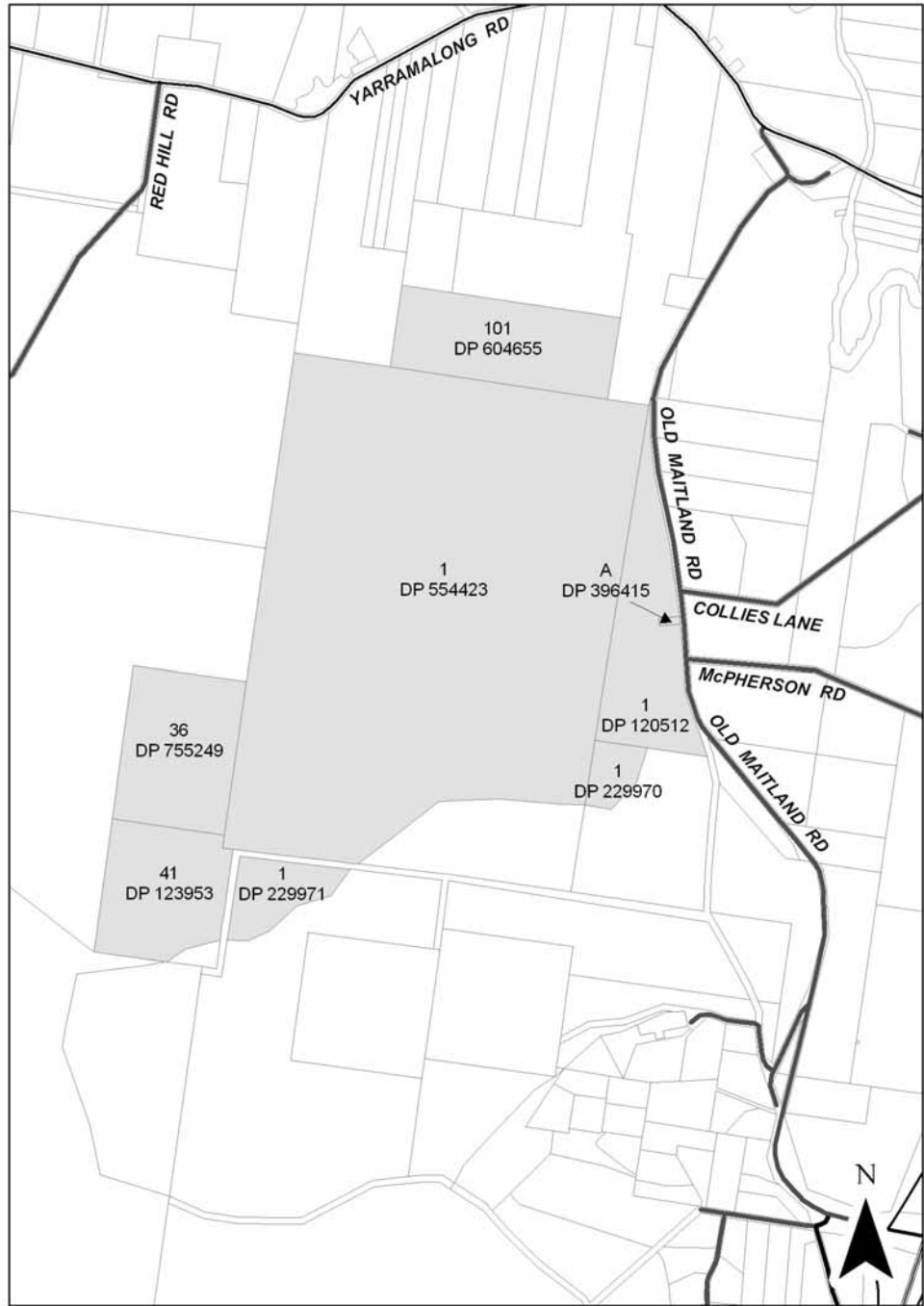
F2006/00830 DE

Councillor D Eaton has given notice that at the Ordinary Meeting of Council to be held on Wednesday 23 May 2007, he will move the following Motion:

“That Council recommends to the Gosford and Wyong Councils’ Joint Water Authority the deletion of the hose trigger gun nozzle from the refit kit and its replacement with a sack of soil wetting agent.”

197 **Draft Amendment No 148 - Proposed Rezoning - Old Farm Site, Mardi (Attachment 1)**

Location Map



WYONG SHIRE COUNCIL

23 May 2007
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

**197 Draft Amendment No 148 - Proposed Rezoning - Old Farm
 Site, Mardi**

F2004/09096 DJM:RE

SUMMARY

Council resolved in September 2006 to continue its support of the Old Farm rezoning (Amendment No 148) at Mardi and refer the application to the State Government's Local Environmental Plan (LEP) Panel recommending support of the project. The Department of Planning (DoP) has responded to Council and declined to issue the Section 65 Certificate (which would allow the rezoning to proceed). Based on the direction from the Department, this reports recommends that Council extinguish Amendment No 148 and the notations on the Section 149 Certificates be removed.

RECOMMENDATION

- 1 *That Amendment No 148 to Wyong Local Environmental Plan 1991 be extinguished.***
- 2 *That Council's Section 149 Certificates be amended by removing notations in respect of Amendment No 148.***
- 3 *That Council staff continue to process the current Development Application and State Environmental Planning Policy (SEPP) No 1 Objection for subdivision as expeditiously as possible.***

BACKGROUND

At its meeting held on 13 September 2006 Council resolved:

- “1 *That Council recognise the Department of Planning's processing timelines regarding this site are consistent with those associated with other major planning initiatives such as the Central Coast Regional Planning Strategy.***
- 2 *That having regard to the strategic significance of this site and that it is external to the water catchment, Council continue its support.***
- 3 *Staff report to Council on the progress of this site by December 2007.***
- 4 *That Council's Section 149 Certificates be noted.***
- 5 *That the applicant be advised of Council's decision.***

Draft Amendment No 148 - Proposed Rezoning - Old Farm Site, Mardi (contd)

- 6 *That the application be referred with Council's recommendation for approval to the State Rezoning Panel for their support."*

Councillors were recently advised via a Councillor Update of the DoP's advice in relation to this matter. Attached to that update was the report to Council dated 14 September 2005 which outlined the history of the application and contained the concept plans and some correspondence from the applicant, Council and the Department over the years.

A chronology of the rezoning application is included as Attachment 2 to this report.

DECISION OF DEPARTMENT OF PLANNING LEP PANEL

On 2 April 2007, the DOP advised Council that it declined to issue the Section 65 request for draft Amendment No 148 to Wyong LEP 1991. A number of reasons were listed. (A copy of that letter is included as Attachment 3). The applicant has been advised of this decision by both the DoP and Council staff.

The reasons given by the Department together with the content of the letter provides a clear direction to Council that the Department does not support this application or the residential scenarios put forward. The letter states in part:

"The draft LEP is not strategically justified...it involves areas west of the F3 that will not be considered for additional residential development potential during the life of the Strategy (ie the Central Coast Regional Strategy – the next 25 years). Further the Department raises "concern that Council continues to pursue this draft LEP when the Department has clearly expressed its position in previously refusing to certify the draft LEP...Council should commence a review of its residential strategies in accordance with the actions contained in the Draft <Central Coast> Strategy...<and> ensure that this proposal is not included in the draft comprehensive LEP."

CURRENT DEVELOPMENT APPLICATION

Council is currently assessing a Development Application for the subdivision of the subject land. It proposes to subdivide the existing eight (8) lots into 21 lots with the lot sizes averaging 10ha. This is smaller than the minimum lot size required in both the 1(a) and 7(a) zones. Therefore the applicant has submitted an objection under SEPP No 1 seeking to justify the 27%-84% variations to the minimum lot sizes. It should be noted that due to size of these variations the concurrence of the DoP will eventually be required, notwithstanding Council's assessment and decision on the application.

Draft Amendment No 148 - Proposed Rezoning - Old Farm Site, Mardi (contd)

The Development Services Unit advise that there are a number of issues outstanding with this application requiring additional information from the applicants. This had been held pending a decision on the rezoning application. Referrals to government agencies has occurred and responses received will also need to be resolved if the application is to proceed. The applicant and Council staff have been conversing on this application recently.

CONCLUSION

The DoP has given a clear direction to Council that it does not and will not support this rezoning application. On the basis of this direction, Council should formally resolve to extinguish the Draft LEP and advise the applicant that no further work will be undertaken on this matter.

In the meantime, the applicant has progressed with plans for an alternative development of the site through the submission of a Development Application for a 21 lot Subdivision. Council should continue to process this application, now that the decision on the rezoning application has been received.

It is therefore recommended that the Amendment No 148 to LEP 1991 be extinguished, that the relevant notations on the Section 149 Certificates be removed and that Council staff continue to process the Development Application as expeditiously as possible.

Attachment 1
Attachment 2
Attachment 3

Location Map (1 page)
Chronology (1 page)
DoP Letter dated 2 April 2007 (2 pages)

**Draft Amendment No 148 - Proposed Rezoning - Old Farm Site, Mardi
(Attachment 2)**

- September 2003: Council requested a Section 65 Certificate from Department of Infrastructure, Planning and Natural Resources (DIPNR) (the then combined DoP and Natural Resources).
- June 2004: DIPNR declined the request.
- August 2004: Council resolved to reiterate its support for the rezoning.
- September 2004: Council requested further information on scope of study required to review the existing policy on urban development west of the F3 freeway.
- December 2004: Mayor wrote to Planning Minister and sought meeting to discuss the matter.
- July 2005: DIPNR advised that the rezoning was not supported and declined to issue the Section 65 Certificate.
- August 2005: Applicant requested Council to suspend the rezoning for 12 periods to enable DIPNR to evaluate their proposal and reconsider their position.
- September 2005: Council resolved to give the applicants 12 months to negotiate a reconsideration of the State Government's position on the rezoning (till 1 September 2006)
- 13 September 2006: Council rescinded previous 14 September 2005 resolution and resolved to reiterate its support and forward the application to the DoP's LEP Panel seeking continuation of the rezoning by the issue of a Section 65 Certificate by the DoP.
- Council forwarded a request to the DoP for this issue of a Section 65 Certificate as the next step in the rezoning process for this application.

23 May 2007
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

Draft Amendment No 148 - Proposed Rezoning - Old Farm Site, Mardi (Attachment 3)



NSW GOVERNMENT
Department of Planning

Office of the Director General

Contact: Brett Slavin
Phone: (02) 4348 5000
Fax: (02) 4323 6573
Email: Brett.Slavin@planning.nsw.gov.au
Postal: PO Box 1148, Gosford 2250

Our ref: N99/00098/Z P12
Your ref: F2004/09096
D/013175

Mr Kerry Yates
General Manager
Wyong Shire Council
PO Box 20
WYONG NSW 2259

Dear Mr Yates

Re: Section 65 Request – Draft Amendment 148 to Wyong LEP 1991

I am writing in response to Council's letter dated January 4 2007 requesting certification under section 65(1) of the *Environmental Planning and Assessment Act 1979* ('EP&A Act'), of a draft local environmental plan ('LEP') to rezone land at Mardi, known as the "Old Farm" to facilitate the development of 425 dwellings, 80 tourist units and 500m² of retail floor space.

The proposed draft amendment is not supported for the following reasons:-

- The draft LEP is not strategically justified. It is inconsistent with the draft Central Coast Regional Strategy in that the site is not identified within a release area or within an area for future urban investigation. It involves areas west of the F3 that will not be considered for additional residential development potential during the life of the Strategy;
- The inconsistencies with section 117 directions, particularly No 21 - Residential Zones, No 22 - Rural Zones and No 13 - Environmental Protection Zones have not been justified;
- Council's Section 54 resolution is not consistent with the draft LEP forwarded for consideration;
- The draft LEP proposes a form of rural residential development yet Council's Residential Development Strategy identifies sufficient supply of existing rural residential land for 10 years supply. The need for additional rural residential development is not justified by the local environmental study (LES);
- The LES does not justify any of the proposed residential scenarios;
- There are outstanding objections from the Department of Environment and Conservation, Department of Primary Industries, Roads and Traffic Authority and Mine Subsidence Board;
- The draft LEP and map provided are inadequate; and
- There has been no additional information provided with this request for a certificate which satisfies the reasons given in the Department's previous refusal of a section 65 certificate for this plan.

23 May 2007
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

**Draft Amendment No 148 - Proposed Rezoning - Old Farm Site, Mardi
(Attachment 3) (contd)**

2

I am therefore declining to issue a section 65 certificate for this draft amendment.

The Department is concerned that Council continues to pursue this draft LEP when the Department has clearly expressed its position in previously refusing to certify the draft LEP. Given this position it is recommended that Council should resolve to not proceed with this DLEP and advise the applicant accordingly.

Council's strategic planning resources should be directed towards preparation of its new comprehensive LEP in accordance with the provisions of the final Central Coast Regional Strategy. In this regard, Council should commence a review of its residential strategies in accordance with the actions contained in the Draft Strategy. Environmental investigations on this site are premature at this time and should cease until the outcome of the review is known. In doing so Council should ensure that this proposal is not included in the draft comprehensive LEP.

Should you have any queries in regard to this matter please contact Ms Lois Gray, LEP Review Panel on (02) 9228 6204.

Yours sincerely

 2/4/07
Sam Haddad
Director General

WYONG SHIRE COUNCIL

23 May 2007
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

**198 Draft Development Control Plan No 2005: Chapter 100 –
Quality Housing**

F2004/00528 PJK:PJK

SUMMARY

This report details the results of the recent public exhibition of draft Development Control Plan (DCP) No 2005: Chapter 100 – Quality Housing relating specifically to water saving requirements for new swimming pools and minor additions to dwellings. It identifies the resulting changes proposed and recommends that the report and draft Chapter 100 be adopted.

RECOMMENDATION

- 1 *That draft Development Control Plan No 2005: Chapter 100 – Quality Housing be adopted and appropriate public notice be given within 28 days that the draft Chapter will come into effect as Chapter 100 within Development Control Plan No 2005 on the date of the advertisement in the local newspaper and that any development applications undetermined as at this date be subject to the provisions of the adopted Development Control Plan.***
- 2 *That a media release be issued detailing the changes and operational date of the revised chapter;***
- 3 *That those who were advised of the public exhibition of the revised chapter be notified in writing of its adoption and operational date;***
- 4 *That a copy of Development Control Plan No 2005 containing the amended Chapter 100 be forwarded to the Director General of the NSW Department of Planning within 28 days;***
- 5 *That Council's S.149 Certificates be noted as to the adoption of Chapter 100; and***
- 6 *That all those who made submissions be advised of Council's decision.***

PRECIS

- * Public exhibition of draft DCP No 2005: Chapter 100 – Quality Housing conducted 28 February 2007 to 28 March, 2007. Two submissions received.

Draft Development Control Plan No 2005: Chapter 100 – Quality Housing (contd)

- * Recommend this report and draft Chapter 100 be adopted, to become effective for all applications on the date of the advertisement in the local newspaper and that any undetermined DA's be subject to the provisions of the adopted DCP.
- * The draft plan primarily introduces water saving requirements for new swimming pools and minor additions to dwellings which are not captured by the requirements of the NSW Governments' Building and Sustainability Index (BASIX) program.
- * Other minor changes address definition changes, energy efficiency, waste control, and sustainability issues.
- * A further holistic review of the Chapter is currently underway, having regard to the feedback received. The review will also consider the results of an audit (about to be commenced) of housing construction following the introduction of the DCP in 2003.

INTRODUCTION

DCP No 2005: Chapter 100 – Quality Housing addresses Council's requirements for new dwellings, additions and ancillary structures. The proposed amendments to the Chapter are considered necessary for the Wyong Local Government Area (WLGA) as they primarily relate to provisions to provide water savings for developments which are not captured by the BASIX requirements. They form part of Council's response to the prolonged drought affecting the Central Coast Region.

The proposed amendments recognise that certain previous requirements within the Chapter have now been superseded by BASIX, and cannot now be applied by Council. Council's prior requirements are now included as Sustainability Guidelines, to assist applicants in the design process (within the Attachments section). The water specific amendments proposed seek to apply water savings requirements for new swimming pools and minor additions to dwellings which are not captured by the BASIX requirements.

The need to introduce these requirements is critical for the Central Coast. Research by the NSW Department of Planning for the BASIX program has demonstrated that topping up pools accounts for 15% of total annual water usage for pool owners. Each year a pool requires a similar amount of water as its volume to keep it filled to an appropriate level for optimum filter and pump operation. Spa pools are frequently emptied and refilled. This highlights the need for owners to provide an independent onsite water supply.

The draft Chapter has been reformatted to align with recently adopted Chapters and the intended future form of DCP No 2005. Legislative changes (eg the requirements to design and comply with BASIX requirements) and new Council policies introduced since the creation and adoption of the original DCP have also meant that certain definitions and terms have required alteration.

Draft Development Control Plan No 2005: Chapter 100 – Quality Housing (contd)

Staff are in the process of commencing an audit of housing, approved since the introduction of Chapter 100 in January 2003, as part of a further comprehensive review of its provisions to determine whether other matters require refinement.

HISTORY

- * 2002: DCP 100 adopted.
- * 1 January 2003: DCP 100 effective for all applications.
- * 6 January 2005: DCP No 2005 incorporates DCP 100.
- * 1 July 2005: NSW Government's BASIX program introduced to regional NSW. (affects all applications for new dwellings and overrides Council's DCP requirements via a State Environmental Planning Policy)
- * 1 October 2006: BASIX Alterations and Additions introduced to projects that are valued at or more than \$100,000 as well as large swimming pools (40,000+ litres).
- * 1 July 2007: BASIX Alterations and Additions also apply to projects valued at, or more than \$50,000. Minor developments, including garages, storerooms, carports, gazebos, verandas and awnings, are exempt from BASIX.
- * 13 February 2007: Council considered a report on potential water savings amendments to Chapter 100 and resolved:
 - "1 That draft DCP No 2005: Chapter 100 – Quality Housing be placed on public exhibition for a period of 28 days for public comment.
 - 2 That a report be referred to Council recommending that subject to there being no significant objections, the draft Development Control Plan be adopted and appropriate public notice be given."

STATUTORY REQUIREMENTS

Environmental Planning and Assessment Act 1979

Section 74C of the Environmental Planning and Assessment Act 1979 provides for the preparation of DCP's by Council, addressing aspects of development. The form, content and methodology for the preparation and adoption of a development control plan are specified in the Environmental Planning and Assessment Regulation 2000.

Draft Development Control Plan No 2005: Chapter 100 – Quality Housing (contd)

The review of submissions and further staff comments on the draft provisions within the exhibited Chapter have resulted in refinements to enable the provisions of the document to be clearly interpreted and practically applied. These changes are detailed within the report.

COUNCIL REQUIREMENTS

Due to the threshold levels applied to developments under the BASIX system, there are dwelling additions, alterations, swimming pools and spas being approved within the WLGA which currently have no water savings requirements applied to them. At minimum Council needs to ensure that applicants for additions and alterations select water saving appliances and provide water saving fixtures to new bathrooms, laundries and taps, together with sufficient independent water supply (a 2,500 litre rainwater tank) to cater for the additional water demand generated by the new work.

In regard to swimming pools, the proposed requirement for a 2,500 litre rainwater tank for draining and topping up supply as weather and usage conditions vary, is to include the option of providing a 1,500 litre rainwater tank if a pool blanket is also installed (proven to reduce evaporation by up to 97%). Spa pools will require a 2,500 litre rainwater tank together with a lockable spa cover, due to the frequent filling and emptying which occurs in their usage. Where spare capacity exists, owners are also requested to consider draining to the rainwater tank for reuse.

The Housing Industry Association, Master Builders Association, Urban Development Institute of Australia, Building Designers Association and pool building companies have been advised of the requirements during the public exhibition and are generally supportive of the proposed requirements. Details of the two responses received are addressed in the table below.

PUBLIC EXHIBITION

Draft Chapter 100 was placed on public exhibition from 28 February 2007 to 28 March 2007. Two written submissions were received. The issues raised, together with relevant comments, are summarised in the following table:

**Draft Development Control Plan No 2005: Chapter 100 – Quality Housing
(contd)**

DOC. NO	COMMENT	RESPONSE
D00812955	Generally supportive of Council's proposals, recognising the need for strict water conservation and water savings measures within the Central Coast Region.	Noted.
	<p>1.9 Comment on definition of "Accredited Assessor" – information needs to be updated.</p> <p>3.0 BASIX refers to True North, reference should be made to emphasise True North.</p> <p>3.9.4 Use WELS labelling scheme (Star Ratings) instead of the Alpha (AAA Ratings) scheme.</p>	<p>Appropriate changes made.</p> <p>Appropriate change made.</p> <p>Appropriate changes made.</p>
D00816131	<p>Objecting strongly to additional measures (predominantly the requirement for a 2,500 litre water tank) which "attempt to close down the industry".</p> <p>BASIX has already impacted consumers by affecting their ability to purchase a pool and restricting the size of pool they can purchase. This is having a significant impact on related trades (eg builders, excavator operators, concrete suppliers, pool equipment suppliers and fencers).</p>	<p>Noted. Council is implementing sensible water savings measures in a Region affected by a critical shortage of water supply, not attempting to "close down" the pool and related industries.</p> <p>Noted. However, it is considered more economical to budget for the complete pool package up front. Owners should provide an independent water supply.</p>
	<p>Wyong Council's own statistics state that households use only 4% of their water on pools.</p> <p>Council should instead require all pools to have a cover, as these greatly reduce evaporation, therefore water consumption.</p>	<p>Whilst this statistic is accurate, the writer fails to acknowledge that 78% of total water consumption in the Region is attributed to household demand. Therefore, 4% of that 78% is significant demand on the total water supply.</p> <p>The controls proposed provide the option of a reduced tank size (1,500 litres) should the owner commit to the provision and maintenance of a pool cover on site.</p>

**Draft Development Control Plan No 2005: Chapter 100 – Quality Housing
(contd)**

DOC. NO	COMMENT	RESPONSE
D00816131 (Cont'd)	Council should ban or regulate inflatable and plastic above ground pools, as these are often erected without approval, inadequately fenced, rarely filtered and therefore frequently emptied. These can hold between 3,000 and 10,000 litres.	Council currently requires consent be issued for any swimming pool which is capable of holding a depth of 300mm or greater.

Having taken these comments into consideration and as a result of other feedback received from members of the public and staff, draft Chapter 100 has been further refined since its exhibition and is now recommended for adoption. A summary of the changes made since the exhibition of the draft Chapter is provided in the submissions table above.

Amendments to DCP 100

The amendments proposed seek to address what is termed "BASIX Optional Development" or the smaller pools and minor additions, which are larger than those categorised as "BASIX Excluded Development" (eg garage, storeroom, carport, gazebo, unenclosed or screen-meshed veranda or awning). These structures are generally permissible without consent under Council's "Exempt Development" provisions, as are pools which are not capable of being filled to a depth greater than 300mm.

A summary of the amendments proposed is as follows:

- * Insertion of new definitions and removal of obsolete definitions;
- * Requirement for BASIX commitments to be itemised on plans and the appropriate Certificate lodged with the application;
- * Greater emphasis on sustainability, waste minimisation, water and energy efficiency;
- * Details of site signs (required under new legislation);
- * Alteration of standards for the control of building waste materials on construction sites (in line with current practice);
- * Explanation of techniques for reducing building bulk and scale, and articulating building designs (in line with current practice);

Draft Development Control Plan No 2005: Chapter 100 – Quality Housing (contd)

- * New information regarding tree removal on dwelling sites (in line with Council's recent Policy direction within Chapter 14 -Tree Management);
- * New section entitled "Sustainability" which replaces the previous two sections dealing separately with water and energy efficiency requirements. The new section details the BASIX requirements and Council's standards for "BASIX Optional Development" (development over which Council can have an influence). For example:
 - New requirements for pools and spas not covered by BASIX requirements to install a minimum 2,500 litre rainwater tank to manage top up and draining, for spas to have a lockable cover, and encouraging the use of pool blankets (covers) to reduce water loss through evaporation; and
 - New requirements for dwelling alterations and additions not covered by BASIX requirements to install minimum 3 Star Water Efficiency and Labelling Scheme Rated fixtures, to install energy efficient and water efficient appliances, to install a minimum 2,500 litre rainwater tank, to insulate walls and ceilings, to consider orientation for solar access, ventilation and shading, etc.

CONCLUSION

The requirements proposed primarily seek to address the impacts that smaller dwelling additions, swimming and spa pools have upon the regions water supply. Draft DCP No 2005: Chapter 100 – Quality Housing has been prepared and publicly exhibited in accordance with legislative and regulatory requirements. Amendments have been made to the draft Chapter since public exhibition, to address the issues and suggestions raised by members of the public and staff.

The draft Chapter is now recommended for formal adoption, with proposed implementation as soon as the advertisement in the local newspaper is published.

Enclosure

Draft DCP No 2005: Chapter 100 – Quality Housing

WYONG SHIRE COUNCIL

23 May 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

199 Contract CPA 122601 - Supply and Installation of Switch Control Assemblies and Associated Work for Lower Wyong River Water Pump Station No 1

CPA/122601

SUMMARY

Evaluation and selection of tenders for Contract No CPA 122601 – Supply and Installation of Switch Control Assemblies and Associated Work for Lower Wyong River Water Pump Station No 1.

RECOMMENDATION

- 1 *That Council accept the tender of Priestley Electrical Pty in the Lump Sum amount of \$228,075.10 including GST (\$207,341 excluding GST).***
- 2 *That Council approve a contingency amount of \$23,000 including GST (\$20,909.10 excluding GST), representing approximately 10% of the contract value, to provide for any additional works that may become necessary during the course of the project.***

BACKGROUND

The existing Lower Wyong River to Mardi Dam Transfer System forms part of the Gosford Wyong Water Authority (GWWA) water supply head works and allows for the transfer of water from Lower Wyong River to Mardi Dam at a rate of 72 ML / day. This system was constructed in the 1960's and consists of:

- * a weir on Wyong River,
- * a 600mm suction main to a pumping station located on the western bank of Wyong River
- * a pump station (Pump Station No 1) on the western bank of the Wyong River comprising two (2) 515kW pumps and auxiliaries.
- * a 658mm x 2.1 km long steel pipeline to Mardi Dam

The GWWA has implemented an overall strategy under the Drought Contingency Programme to secure the regional water supply. Part of the strategy is to increase the available yield from Mardi Dam to satisfy increases in future demand by increasing the capacity of the Lower Wyong River to Mardi Dam Transfer System from 72ML / day to 125ML / day.

Contract CPA 122601 - Supply and Installation of Switch Control Assemblies and Associated Work for Lower Wyong River Water Pump Station No 1 (contd)

Council previously completed a concept design to investigate the most cost effective and efficient system to increase the pumping yield of this system to this capacity. This concept design identified the existing system capacity could be increased to 125 ML / day by increasing the suction pipe work, duplicating the rising main and increasing the power supply to Pump Station No 1.

Power Control Engineering (electrical engineering design consultant) were then engaged to prepare a concept design for the power upgrade. Power Control Engineering identified that an upgrade would be required to the high voltage power to Pump Station No 1 as well as an upgrade to the low-voltage electrical works within Pump Station No 1.

The purpose of this report is to award a contract (CPA 122601) for the upgrading of the low voltage electrical works within Pump Station No 1 to allow the pumps to operate at their full rated output. The other civil works and high-voltage power upgrade works are being procured via other contracts and are to be addressed in separate Council reports.

DETAILS OF THE SCOPE OF WORK FOR THE LOW-VOLTAGE POWER UPGRADE

At present, power to Pump Station No 1 is provided by a single 11kV overhead feeder and a 1000kVA substation. As a result the output of the pumps is limited to approximately 420kW. The full rated output of the pumps is approximately 500kW. To allow the pump station to operate at its rated output, the power supply and the electrical installation require upgrading.

To achieve the increased output from the pumps, the low voltage installation requires upgrading as follows:

- a The consumers mains need to be increased in size.
- b The existing Main Switchboard/Motor Control Centre (MSB/MCC) needs to be replaced with a unit capable of supplying the full power requirements of the pumps.
- c New flow-meters and vacuum pumps need to be included into the LV installation.
- d The existing telemetry and control system needs to be upgraded.
- e Miscellaneous electrical works need to be carried out to interface with the new MSB/MCC.

This contract CPA/122601, covers the upgrade of the low voltage installation and is the subject of this evaluation.

Contract CPA 122601 - Supply and Installation of Switch Control Assemblies and Associated Work for Lower Wyong River Water Pump Station No 1 (contd)

TENDER PROCESS

The tender document for the upgrading of the low voltage electrical installation was prepared as a Lump Sum contract. Tenders were invited by way of public invitation. Advertisements were placed in the Central Coast Express Advocate on Wednesday, 14 March 2007 and the Sydney Morning Herald on Tuesday, 13 March 2007 and Saturday, 17 March 2007 closing 15 days after the initial date of publication. The Local Government Regulations, Clause 171 (i) allows for Council to shorten the tender period from 21 days provided the specified period is at least seven (7) days.

A mandatory site meeting was held on 20 March 2007, with eight (8) potential tenderers being present.

Addendum 1 was issued on 26 March 2007 to modify Separable Portions 1 and 2 and clarify/change some of the technical requirements.

Tenders closed on 29 March, 2007. Six (6) tenders were received.

EVALUATION OF ORIGINAL TENDERS

Prior to the receipt of tenders, a Contract Development Plan was approved by the Director, Shire Services identifying the following threshold and weighted tender evaluation criteria:

Threshold Criteria

- * Conformance with the specification and requirements of the Tender documents.
- * Ability to complete the works.
- * Ability to manage financial, operational, environmental and safety risk.

Weighted Evaluation Criteria

- * Price
- * Prior experience
- * Period required for Decommissioning of Pump Station No 1

Tenders were evaluated by a three-member panel comprising one staff member from Wyong Council and two officers from the NSW Department of Commerce, Wyong Project Office with respect to the above threshold and weighted criteria.

Contract CPA 122601 - Supply and Installation of Switch Control Assemblies and Associated Work for Lower Wyong River Water Pump Station No 1 (contd)

To assess tenders against the evaluation criteria, the panel used information obtained from the tender documents and related correspondence, referees and external advisors. The evaluation was conducted according to the following process;

- 1 Assessment of receipt of tender/s.
- 2 Assessment of conformance of tender/s.
- 3 Evaluation and scoring of tenders.
- 4 Due diligence checks on preferred tenderer.

Assessment of Receipt and Conformance

The following tender prices were received:

	Tender	Lump Sum Tender Amount (incl GST)	Status
1	O'Donnell Griffin Pty Ltd (Trading as Priestley Electrical)	\$228,075.10	Submitted on time. Qualifications
2	Industrial Power Service Pty Ltd	\$246,495.44	Submitted on time. (No amount on Tender Form)
3	Kenshaw	\$256,661.80	Submitted on time. (No Tender Form)
4	Planelec Services Pty Ltd	\$265,851.00	Submitted on time. Qualifications
5	Central Coast Switchboards	\$316,547.00	Submitted on time. Qualifications
6	Diona Pty Ltd	\$348,260.00	Submitted on time

The tender prices of all six tenders received ranged between 114% to 174% of the Pre-tender Estimate of \$200,000. This is viewed as acceptable due to the complexities of carrying out the work while other construction activities on the same worksite, including the construction of pipelines and associated fittings which require substantial excavations, and the installation of underground high voltage power mains is taking place. Along with these issues and the confined space of a small worksite, delays are more likely and the management of safety issues relating to the works is more complex.

Tenders were assessed for conformance with the general tender requirements, including specifications and they were also assessed for conformance against the inclusion of unacceptable conditions/clarifications in the tenders and the satisfactory completion of the returnable schedules.

Contract CPA 122601 - Supply and Installation of Switch Control Assemblies and Associated Work for Lower Wyong River Water Pump Station No 1 (contd)

All tenders had price schedules submitted. Several tenders included only partially completed non-price tender schedules.

Of the six tenders received, only two (Kenshaw and Central Coast Switchboards) were free of qualifications. The lowest tenderer (Priestley Electrical) contained qualifications with respect to Commercial Conditions, Technical Clarifications and Scope of Works that were unacceptable and have since been withdrawn.

EVALUATION OF TENDERS

Price Criteria

All tenders were examined for qualifications to their tender that may affect the price stated on the Tender Form. In order to carry out an initial comparison of tenders a loading was applied to the lowest tender to account for qualifications that were submitted with the tender in order to assess the most likely cost to Council. The Tender Evaluation Panel assessed these extra costs to be \$16,150. These qualifications were:

- 1 Extra administrative costs if the contract time was exceeded due to no fault of the contractor
- 2 Liability of consequential costs excluded
- 3 Liquidated damages capped at 5% of the contract sum
- 4 Prices subject to availability of materials quoted
- 5 Any increases in the Copper Cathode Price Index would result in a claim against the contract for rise and fall.

Other tenders were also examined for qualifications or departures that may reduce tender prices. The only qualification found was a saving of \$15,000.00 was offered from Diona Pty if they were awarded this contract together with the separate civil works contract. The inclusion of this saving, if made, would not affect the relativity of tenders.

Non-Price Criteria

Tenders were scored out of 100, relative to each other, against the criteria for prior experience by review of the tenders "Experience and Referees" and by consideration of the performance of these companies with past contracts with Wyong Shire Council.

Contract CPA 122601 - Supply and Installation of Switch Control Assemblies and Associated Work for Lower Wyong River Water Pump Station No 1 (contd)

Tenders were then scored out of 100, relative to each other, against the criteria for the period required for the decommissioning of PS No 1 by reviewing tender programs and examining tenders for any qualifications relating to time as specified in the tender document.

Scoring of Tenders Based on Price and Non-Price Criteria

The loaded price from Priestly Electrical and the original prices from other tenders and the scores for the non-price criteria were then weighted (in accordance with the contract development plan) and added to obtain a final score:

Tender	Lump Sum \$excl. G.S.T. (After Loading)	Final Weighted Evaluation Score (Loaded Price and Non- Price Criteria combined)
1 O'Donnell Griffin Pty Ltd (Trading as Priestley Electrical)	\$207,341 + \$ 16,150 (loading) \$223,491	98
2 Industrial Power Service Pty Ltd	\$224,087	91
3 Kenshaw	\$233,329	86
4 Planelec Services Pty Ltd	\$241,683	83
5 Central Coast Switchboards	\$287,770	68
6 Diona Pty Ltd	\$316,600	54

The Tender Evaluation Panel (TEP) concluded that, even when a loading was applied for qualifications, the tender from Priestley Electrical is the preferred tender on the basis of the price and non-price criteria in the Contract Development Plan.

Clarification of Tender Qualifications

The Tender Evaluation Panel held a meeting with the preferred tenderer, Priestley Electrical, to review the qualifications that were submitted on the covering letter of its tender and to ensure that any minor omissions in the non-price schedules (insurances, tender program etc) were supplied. Following this meeting, Priestley Electrical advised that all of the qualifications in its covering letter are withdrawn with the exception of one relating to liquidated damages for delays in reaching Practical Completion, which Priestley Electrical revised in a subsequent letter stating that:

"Further to our meeting on Monday 2/4/07 and subsequent discussions, I can confirm that Priestley Electrical withdraw all of the conditions, clarifications and references to the Scope of Works contained in our tender covering letter Q4923 dated 29/3/07.

Contract CPA 122601 - Supply and Installation of Switch Control Assemblies and Associated Work for Lower Wyong River Water Pump Station No 1 (contd)

Where Priestley Electrical are delayed by the late supply of soft starter from suppliers, Priestley Electrical's liability for liquidated damages for delay in reaching Practical Completion (in accordance with clause 35.6 of AS 2124-1992) shall be limited to \$22,807 inc GST."

The Tender Evaluation Panel concluded that this qualification was acceptable as the cap on liquidated damages only applies to a delay relating to the supply of soft starters from the supplier which is considered to be a low risk to Council.

Due Diligence

References from the tender schedule were checked and Priestly Electrical were recommended in each instance. A detailed financial assessment is being undertaken and will be provided separately by the Director, Shire Services at the Council meeting.

Process Review

This evaluation process and recommendations has been endorsed by the Manager – Contract Systems.

BUDGET

Funds for the Drought Contingency Projects have been allocated for this work with costs to be jointly attributed to Gosford and Wyong Councils.

LOCAL CONTENT

Priestley Electrical Pty Ltd is a Newcastle based company with its parent company O'Donnell Griffin Pty Ltd being based in Sydney, NSW. Priestley Electrical is intending to employ Newcastle/Central Coast based labour and subcontractors and utilising Newcastle/Central Coast plant hire companies and suppliers.

It is expected that the contract works will generate approximately 1,000 man hours using labour residing in the Newcastle/Central Coast region.

CONCLUSION

Following the withdrawal of most qualifications submitted by Priestley Electrical and their superior score (even when a loading was applied for their qualifications) and given that the remaining tenderers did not have any qualifications that may have led to a reduction in the their tender price, the Tender Evaluation Panel concluded that Priestly Electrical is the confirmed preferred tenderer and that their tender should be accepted

WYONG SHIRE COUNCIL

23 May 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

200 Contract CPA 123594 - Lower Wyong River to Mardi Upgrade Pump Station No 1 – Construction of High Voltage Power Supply

CPA/123594 GC

SUMMARY

Evaluation and selection of tenders for Contract No CPA 123594 – Lower Wyong River to Mardi Upgrade Pump Station No 1 – Construction of High Voltage Power Supply.

RECOMMENDATION

- 1 That Council, subject to the outstanding financial assessment, accept the tender of Power Serve Pty Ltd in the Lump Sum amount of \$175,033.10 including GST (\$159,121 excluding GST).**
- 2 That Council approve a contingency amount of \$18,000 including GST (\$16,000 excluding GST), representing approximately 10% of the contract value, to provide for any additional works that may become necessary during the course of the project.**

BACKGROUND

The existing Lower Wyong River to Mardi Dam Transfer System forms part of the Gosford Wyong Water Authority (GWWA) water supply head works and allows for the transfer of water from Lower Wyong River to Mardi Dam at a rate of 72 ML / day. This system was constructed in the 1960's and consists of:

- * a weir on Wyong River,
- * a 600mm suction main to a pumping station located on the western bank of Wyong River,
- * a pump station (Pump Station No 1) on the western bank of the Wyong River comprising two (2) 515kW pumps and auxiliaries.
- * a 658mm x 2.1 km long steel pipeline to Mardi Dam.

The GWWA has implemented an overall strategy under the Drought Contingency Programme to secure the regional water supply. Part of the strategy is to increase the available yield from Mardi Dam to satisfy increases in future demand by increasing the capacity of the Lower Wyong River to Mardi Dam Transfer System from 72ML / day to 125ML / day.

Contract CPA 123594 - Lower Wyong River to Mardi Upgrade Pump Station No 1 – Construction of High Voltage Power Supply (contd)

Council completed a detailed concept design to investigate the most cost effective and efficient system to increase the pumping yield of this system to this capacity. This concept design identified the existing system capacity could be increased to 125 ML / day by increasing the suction pipe work, duplicating the rising main and increasing the power supply to Pump Station No 1.

Power Control Engineering (electrical engineering design consultant) were then engaged to prepare a concept design for the power upgrade. Power Control Engineering identified that an upgrade would be required to the high voltage power to the pump station as well as an upgrade to the low-voltage electrical works within the pump station structure.

This report outlines the results of the tendering for the upgrading of the high voltage electricity supply to the pump station and the pump station electrical substation. This will provide the additional power required to accommodate the increased output of the pumps. The other civil works and low voltage power upgrade works are being procured via other contracts and are to be addressed in separate Council reports.

Construction of the upgraded transfer system is expected to be completed by August 2007.

DETAILS OF THE SCOPE OF WORK FOR THE HIGH VOLTAGE POWER UPGRADE

At present, power to the pump station is provided by a single 11kV overhead feeder and a 1000kVA substation. As a result, the output of the pumps is limited to approximately 420kW. The full rated output of the pumps is approximately 500kW. To allow the pump station to operate at its rated output, the high voltage power supply requires upgrading as follows:

- a Disconnection and removal of the existing redundant high voltage substation, poles and overhead reticulation.
- b Two (2) new 11kV underground feeder cables need to be installed from the Energy Australia street reticulation to a new 1500kVA kiosk substation installed on a raised plinth adjacent to the pump station.
- c Installation of a new 1500kVA kiosk substation on a raised plinth adjacent to the pump station (supplied by Energy Australia).

This contract CPA 123594, covers the upgrade of the high voltage electricity supply and is the subject of this evaluation.

Contract CPA 123594 - Lower Wyong River to Mardi Upgrade Pump Station No 1 – Construction of High Voltage Power Supply (contd)

TENDER PROCESS

The tender document for the upgrading of the high voltage electricity supply was prepared as a Lump Sum contract. Tenders were invited by way of public invitation. Advertisements were placed in the Central Coast Express Advocate on Wednesday, 14 March 2007 and the Sydney Morning Herald on Tuesday, 13 March 2007 and Saturday, 17 March 2007 closing 22 days after the initial date of publication.

Addendum 1 was issued on 30 March 2007 to modify some technical requirements and issue amended drawings. A mandatory site meeting was held on 23 March 2007, with four (4) potential tenderers being present. Tenders closed on 5 April 2007. Three (3) tenders were received.

EVALUATION OF ORIGINAL TENDERS

Prior to the receipt of tenders, a Contract Development Plan was approved by the Director, Shire Services identifying the following threshold and weighted tender evaluation criteria:

Threshold Criteria

- * Conformance with the specification and requirements of the Tender documents.
- * Ability to complete the works.
- * Ability to manage financial, operational, environmental and safety risk.
- * Accreditation with the Department of Energy, Utilities and Sustainability as an accredited contractor.

Weighted Evaluation Criteria

- * Price
- * Prior experience
- * Ability to meet program dates.

Tenders were evaluated by a three-member panel comprising one staff member from Wyong Council and two officers from the NSW Department of Commerce, Wyong Project Office with respect to the above threshold and weighted criteria.

**Contract CPA 123594 - Lower Wyong River to Mardi Upgrade Pump Station
No 1 – Construction of High Voltage Power Supply (contd)**

To assess tenders against the evaluation criteria, the panel used information obtained from the tender documents and related correspondence, referees and external advisors.

The evaluation was conducted according to the following process:

- 1 Assessment of receipt of tender/s.
- 2 Assessment of conformance of tender/s.
- 3 Evaluation of tenders.
- 4 Due diligence checks on preferred tenderer.

Assessment of Receipt and Conformance

The following apparent tender prices were received:

	Tender	Lump Sum Tender Amount (incl GST)	Status
1	Power Serve Pty Ltd	\$175,033.10	Submitted on time.
2	Planelec Services Pty Ltd	\$219,734.00	Submitted on time. (Many qualifications)
3	Poles and Underground Pty Ltd	\$246,180.00	Submitted on time.

The apparent tender prices of the three tenders received ranged between 90% to 123% of the Pre-tender Estimate of \$200,000.

Tenders were assessed for conformance with the general tender requirements, including specifications and they were also assessed for conformance against the inclusion of unacceptable conditions/clarifications in the tenders and the satisfactory completion of the returnable schedules.

All tenders had price schedules submitted.

Of the three tenders received, two (Power Serve Pty Ltd and Poles and Underground Pty Ltd) were free of significant qualifications. The tender of Planelec Services Pty Ltd contains many qualifications with respect to Commercial Conditions, Technical Clarifications and Scope of Works.

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Director's Report
Shire Services Department

Contract CPA 123594 - Lower Wyong River to Mardi Upgrade Pump Station No 1 – Construction of High Voltage Power Supply (contd)

These included qualifications such as:

- * allowance for full trench reinstatement
- * no allowance for traffic/pedestrian control
- * limits on extent of Liquidated Damages
- * restriction on terms of payment

The qualifications from Planelec Services Pty Ltd were not asked to be withdrawn as they were not the preferred tenderer.

EVALUATION OF TENDERS

Price Criteria

All tenders were examined for qualifications to their tender that may affect the price stated on the Tender Form. The lowest tender had only one condition on the tender relating to payment of Energy Australia fees which did not deviate from the tender document requirements. Thus, no loading to this tender was required.

Non-Price Criteria

Tenders were scored out of 100 against the criteria for prior experience by review of the tenders "Experience and Referees" and by consideration of the performance of these companies with past contracts with Wyong Shire Council and the Department of Commerce.

Tenders were then scored out of 100 against the criteria for the tenderers ability to meet program dates by reviewing tender programs and examining tenders for any qualifications relating to time as specified in the tender document.

Scoring of Tenders Based on Price and Non-Price Criteria

The scores for the non-price criteria were weighted (in accordance with the Contract Development Plan) and added to obtain a final score:

	Tender	Lump Sum \$excl. G.S.T.	Final Weighted Evaluation Score (Price and Non-Price Criteria combined)
1	Power Serve Pty Ltd	\$159,121.00	99
2	Planelec Services Pty Ltd	\$199,758.18	76
3	Poles and Underground Pty Ltd	\$223,800.00	62

Contract CPA 123594 - Lower Wyong River to Mardi Upgrade Pump Station No 1 – Construction of High Voltage Power Supply (contd)

The lowest tender that of Power Serve Pty Ltd contained no qualifications that required loading and remains the lowest and preferred tender. The second lowest tender, that of Planelec, contained many qualifications that, in the opinion of the Tender Evaluation Panel, could only cause their adjusted tender price to increase. For this reason the qualifications submitted by Planelec were not valued and their price adjusted as it would not alter the final outcome of the evaluation.

The highest tender offers no advantage to Council and was not evaluated further.

Due Diligence

Referees nominated by Power Serve Pty Ltd were contacted and asked to comment on a range of issues including time, cost, quality and safety performance with respect to their dealings with Power Serve. No negative comments were received. A detailed financial assessment is being undertaken and will be provided separately by the Director, Shire Services at the Council meeting.

Process Review

This evaluation process and recommendations has been endorsed by the Manager – Contract Systems.

BUDGET

Funds for the Drought Contingency Projects have been allocated for this work with costs to be jointly attributed to Gosford and Wyong Councils

LOCAL CONTENT

Power Serve Pty Ltd is a Newcastle based company employing Newcastle/Central Coast based labour and utilising Newcastle/Central Coast subcontractors, plant hire companies and suppliers.

It is expected that the contract works will generate approximately 600 man hours using labour residing in the Newcastle/Central Coast region.

CONCLUSION

The Tender Evaluation Panel concluded that the tender of Power Serve Pty Ltd is the preferred tender based on the criteria specified in the Tender Evaluation Plan.

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201 Suburb Boundary Adjustments (Attachment 1)

Proposed Boundary Adjustment



WYONG SHIRE COUNCIL

23 May 2007
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

201 Suburb Boundary Adjustments

F2004/05436 SJA:GJA

SUMMARY

Reporting on a proposal to amend the suburb boundaries between Bateau Bay and Killarney Vale and Kangy Angy and Mardi.

RECOMMENDATION

- 1** *That Council advertise the draft proposal to amend the suburb boundaries between Bateau Bay and Killarney Vale and Kangy Angy and Mardi.*
- 2** *That subject to no significant objections being received the draft boundary adjustment proposal be submitted to the Geographical Names Board for formal approval.*

BACKGROUND

On 17 May 1991 the Geographical Names Board gazetted the Suburb/Localities Boundaries for Wyong Shire. The suburb boundary line for Bateau Bay and Killarney Vale ran along Eastern Road to a vacant block of land which has since been subdivided.

The suburb boundary line for Kangy Angy and Mardi ran along an unnamed road.

Bateau Bay/Killarney Vale

In 1994 Council approved a subdivision of land which boarded on the suburb boundaries of Bateau Bay and Killarney Vale and created a new street known as MacIntyre Street. Currently the suburb boundary between Bateau Bay and Killarney Vale runs between the property boundaries of 14 and 16 MacIntyre Street.

Council has recently received a request from a resident in MacIntyre Street to adjust the suburb boundary to include MacIntyre Street wholly in the suburb of Bateau Bay.

It is proposed that the suburb boundary line for Killarney Vale be moved to the eastern boundary line of Lots 478 and 479 DP 7044252 and the southern boundary line of lot 466 DP 44328. A plan showing the current location and the proposed relocation of the boundary line is attached to this report.

It is considered appropriate to amend the suburb boundary given that according to Council's records the residents of MacIntyre Street already show their postal address as being Bateau Bay and not Killarney Vale.

Suburb Boundary Adjustments (contd)

Kangy Angy and Mardi

Council has received a request from the owner of a property located on Old Maitland Road. Council's records show the property as being located in the suburb of Mardi however all postal and telecommunication records show the property address as being located in Kangy Angy.

The owner of the property has expressed concern that the property adjacent to his land and the access to which is through his property is known as Kangy Angy whereas his property is recorded in Council records as being located in Mardi.

Council staff have reviewed the proposal by the ratepayer to adjust the boundary line and agree that the boundary line for Kangy Angy and Mardi be moved to the northern boundary of Lot 2 in DP 732674. This property is owned by Wyong Shire Council and is used to house Reservoir Tuggerah "2". By adjusting the boundary line will ensure that the small pockets of land owned by Council for associated use by the reservoir will all be located within the suburb of Kangy Angy and not split into two separate suburbs as exists now.

A plan showing the current location and the proposed location of the boundary line is attached to this report.

Process for Boundary Adjustment

It is proposed to advertise the proposals for 14 days. Should no significant objections be received the proposal will be forwarded to the Geographical Names Board. The Geographical Names Board has advised that the following steps are undertaken with proposals of this nature.

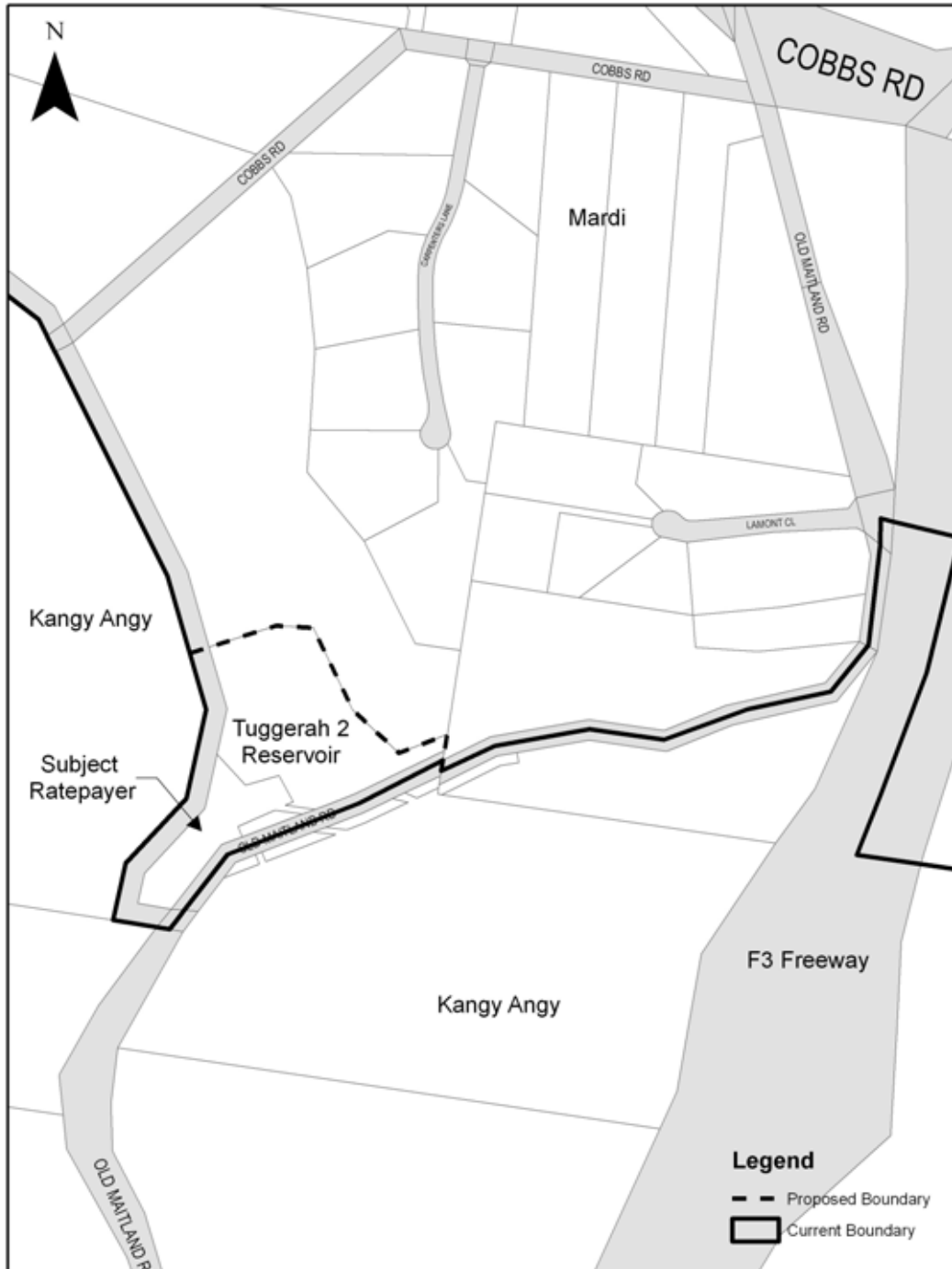
- * Submit the proposed name to the Geographical Names Board for consideration (the Board will also seek public comment prior to making a determination).
- * Final determination by the Board.
- * Minister gazettes name change.
- * All landowners affected and public authorities are notified.
- * All Councils records are amended to reflect the new suburb name.
- * Changed signage etc.

Attachment 1
Attachment 2

Proposed Boundary Adjustment (1 page)
Location Map (1 page)

Suburb Boundary Adjustments (Attachment 2)

Location Map



WYONG SHIRE COUNCIL

23 May 2007
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

202 Determination of Water and Sewer Charges for 2007/2008

F2004/06782 JPB

SUMMARY

In order to comply with Section 315 of the Water Management Act 2000 No 92 Council is required to determine water and sewerage charges no later than one month before the beginning of each charging year.

Being a Water Authority Council's water and sewerage charges are subject to approval by the Minister for Energy and Utilities following determination by the Independent Pricing and Regulatory Tribunal (IPaRT). On 18 May 2006 in their Determination No 3, 2006 IPaRT made a three year determination concerning Council's water and sewerage charges. Charges included in the recommendation are as per that Determination. 2007/2008 represents the second year of the price path.

RECOMMENDATION

That Council as the Water Supply Authority in accordance with Sections 315 and 316 of the Water Management Act 2000 No 92 adopt the service charges set out in Enclosure for the period 1 July 2007 to 30 June 2008 based on the determinations of the Authority set out in A, B and C below:

- a That the amount of money estimated by the Authority that is proposed to be raised by way of service charges levied uniformly on all land that is reasonably available for connection to the Authority's water supply pipes and sewerage service discharge pipe is \$51,084,000 for the period 1 July 2007 to 30 June 2008.***

- b That all land that is reasonably available for connection to the Authority's water supply pipes and sewerage service discharge pipes is classified for the purposes of levying service charges on the basis of the following factors:***
 - i whether the land is residential or non residential; and***
 - ii the nature and extent of the water or sewerage services connected to each individual allotment.***

- c That service charges shall be uniformly levied on the following basis:***
 - i the nominal size of the water service supply pipe supplying water to the land or to which, in the opinion of the Authority, it is reasonably available for water to be supplied to the land, expressed as a charge determined by the nominal pipe size attaching to the Authority's service supply meter;***

Determination of Water and Sewerage Charges for 2007/2008 (contd)

- ii by charge following an assessment of the cost of supplying water and sewerage services by the Authority; and*
- iii where water pressure requires larger sizes of pipes and meters a charge as assessed by the Authority.*

BACKGROUND

The estimated revenue to be raised from Water and Sewer Service Charges based on the IPaRT Determination for 2007/2008 is \$51,084,000.

The following table summarises the IPaRT Determination No 3, 2006 and shows a comparison between year 1 (2006/2007) and year 2 (2007/2008) for a typical residential ratepayer who consumes 168kL of water per annum.

Charges – 2007/08 compared to 2006/07 for the Typical Residential Ratepayer who consumes 168kL per annum

	2006/2007 Charges	2007/2008 Charges	Increase 06/07 to 07/08	Percentage Increase 06/07 to 07/08	Draft 07/08 Management Plan
Water Service Charge*	\$107.32	\$110.97	\$3.65	3.4%	\$111.08
Water Usage (168kL)	\$188.16	\$231.84	\$43.68	23.2%	\$231.84
Sewerage	\$380.75	\$397.53	\$16.78	4.4%	\$397.92
Total	\$676.23	\$740.34	\$64.11	9.48%	\$740.84

*** Water Saving Fund**

On 19 May 2006 Council received the three year determination to apply from 1 July 2006 by the NSW Department of Energy, Utilities and Sustainability.

Under section 34(J) of the Energy Utilities Administration Act 1987 from 1 July 2006 Council must make a contribution to the Water Savings Fund. In 2005, the NSW Government introduced legislative provisions to encourage water savings and the legislation provides for the establishment of the Water Savings Fund to provide funding to encourage water savings and reduce the demand for water.

The Water Savings Fund currently operates in the area of operation of Sydney Water Corporation as well as Wyong and Gosford Council areas.

Determination of Water and Sewerage Charges for 2007/2008 (contd)

In 2007/2008 Council's required contribution is \$950,000. In order for Council to recover this annual contribution all Water Services Charges incorporate an amount of \$15.78 per property. The per property quantum has been calculated in accordance with a methodology provided by IPaRT.

Recycled Water and Sewer Mining Charges

IPaRT has issued a methodology to be applied to recycled water and sewer mining schemes for non-potable uses. Details of this determination are the subject of a separate report to Council on 23 May 2007.

Developer Charges

In IPaRT's Medium Term Price Path for Wyong Council from 1 July 1996 a ceiling of 85% was set for any developer charge derived under its developer contribution methodology. The basis for this cap was to moderate the impact of increases that would apply under the methodology on the cost of housing.

Council has requested removal of this cap, without success, in subsequent Price Path Determinations in 1999, 2000, 2003, 2005 and 2006. Council also requested removal of the cap, without success, in the review of developer charges leading up to the Developer Charges Determination effective from 1 October 2000.

Wyong Shire has been growing at about 2.5% pa over the period this cap has been in place. This has resulted in an average reduction in revenue from developer contributions of at least approximately \$700,000 pa. This shortfall has been continuously funded by a cross subsidy from the existing ratepayer customer base.

With the current drought and the resulting water restrictions that have been in place since February 2002 residents of the Shire have been increasingly expressing their concerns in relation to the ongoing population growth.

IPaRT's current position is unacceptable to Council in that:

- * it is contrary to IPaRT's own pricing principles in relation to cross subsidisation.
- * its continuation sends an inappropriate pricing signal in relation to development, particularly in view of the current water supply situation.

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Corporate Services Department

Determination of Water and Sewerage Charges for 2007/2008 (contd)

In response to Council's approach last year IPaRT advised that to lift this cap it must open a separate enquiry into developer charges and accordingly cannot legally remove this cap under the current pricing determination. IPaRT advised at the time that it proposed to conduct a separate inquiry during 2006/2007 with a view to reviewing this cap, and any other issues relevant to Developer Contributions, in a separate determination to be effective from 1 July 2007.

Council has now been advised that because IPaRT may be involved with an early price determination later this year the scheduled review has been deferred. IPaRT could not advise when this review will be undertaken.

Enclosure

***Schedule of Water Supply and Sewerage Charges for
2007/2008***

WYONG SHIRE COUNCIL

23 May 2007
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

203 Proposed Councillors' Community Improvement Grants

F2006/00788 SG

SUMMARY

Councillors proposed the following allocation of funds for expenditure from Councillors' Community Improvement Grants.

RECOMMENDATION

That an amount of \$11,385 be allocated from the 2006/2007 Councillors' Community Improvement Grants as outlined in Attachment 1.

Funds are available and expenditure is permissible under Section 24 and 356(1) of the Local Government Act, 1993.

Attachment 1 **Councillors' Community Improvement Grants 2006/2007**
(1 page)

23 May 2007
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

Proposed Councillors' Community Improvement Grants (Attachment 1)

Proposed Councillors' Community Improvement Grants 2006/2007

COUNCILLORS' COMMUNITY IMPROVEMENT GRANTS ALLOCATION		Best	Eaton	Forster	Graham	Pavier	Rose	Stevens	Stewart	Veugen	Welham	SUB TOTAL
Allocation 01/07/2006 - 30/06/2007		15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	150,000
Proposed expenditure up to and including Ordinary Council Meeting of 09/05/2007		14,800	7,150	10,475	11,100	13,050	11,678	4,800	7,165	9,450	11,619	101,287
Available allocation as at 09/05/07		200	7,850	4,525	3,900	1,950	3,322	10,200	7,835	5,550	3,381	48,713
23 May 2007												
Australian-Filipino Assoc of the Central Coast (AFACC) - Miss Anne Marie Gallard	Assist with Miss AFACC Quest 2007 to raise funds for local charities. This year's charity is Gosford Rural Fire District		200									200
Australian-Filipino Assoc of the Central Coast Inc	Assist with sponsorship space for Miss AFACC Quest 2007 with fundraising to Gosford Rural Fire Services		800									800
Chain Valley Bay Community Hall	Assist with costs to provide a security fence							1,000				1,000
North Entrance SLSC	Assist with the purchase of a new foam nipper board								525			525
Northern Women's Health Centre (Rose Cottage)	Assist to hold local event for women from Wyong Shire, provide morning tea, entertainment. Special guest speaker from stolen generation						200			50		250
Plenty of Parks For Kids (POP)	Provision of a fully fenced and resourced playground at Salt Water Creek Reserve, Long Jetty	200	500		250	1,950	500	1,000	1,000	500	500	6,400
Samaritans Foundation	Assist with the launch of the Central Coast 2007 Samaritans Winter Appeal										500	500
Shelly Beach SLSC Inc	Assist to supply and instal security boundary fencing to northern boundary of club premises			750					400	500		1,650
White Wreath Association Ltd	Assist with a donation to a voluntary organisation to hold White Wreath Day in remembrance of all victims of suicide on 29 May 2007			50			10					60
Total Proposed Allocations for 23/05/2007		200	1,500	800	250	1,950	710	2,000	1,925	1,050	1,000	11,385
Total Accumulated Allocations as at 23/05/2007		15,000	8,650	11,275	11,350	15,000	12,388	6,800	9,090	10,500	12,619	112,672
Balance Uncommitted as at 23/05/2007		0	6,350	3,725	3,650	0	2,612	8,200	5,910	4,500	2,381	37,328

23 May 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

Non-Government Centres Support Grant for The Spastic Centre of NSW at The Berkeley Community Centre, Berkeley Vale (contd)

- * Activity Room No 2 - two days per week – shared use
- * Activity Room No 3 - one day per week – shared use
- * Activity Room No 4 - one day per week – shared use”

The Deed of Agreement between the Commonwealth and Wyong Shire Council also states:

“Notwithstanding the fact that the Recipient’s rights to use the land are for no set fixed period, the Covenantor covenants that within twenty years of this Deed:

- (i) it sells or otherwise disposes of the Land without acquiring from a party acceptable to the Commonwealth, which may include a purchaser of the Land, a deed on the same or substantially similar terms to this deed in favour of the Commonwealth;*
- (ii) the Recipient’s right to use the Land is terminated, reduced or brought to a premature conclusion for any reason whatsoever including, but not limited to, the agreement (as per extract above from Council’s letter dated 2 May 2005) of the Covenantor and Recipient to end the arrangement (except in circumstances where the Covenantor has acquired a deed in favour of the Commonwealth from another party, as mentioned in paragraph (i)).*

The Covenantor agrees to pay to the Commonwealth an amount equivalent to the replacement cost, less depreciation, of any improvements to the Land attributable to the Project funded by the Commonwealth”.

The Project funded by the Commonwealth will be \$100,000, therefore the agreement to repay to the Commonwealth, should (i) or (ii) above apply, will be limited by this amount.

The Covenant referred to above concerning the period of twenty years is not an uncommon requirement by the Commonwealth. For example, a number of our Child Care Centres, have similar time frames. One in fact has a thirty year covenant period.

The Spastic Centre, through the Commonwealth, have advised that there is a real possibility that unless the required documentation is to hand prior to 30 June 2007, that the funding will not be made available. Following the resolution of Council, the signed and sealed Deed of Agreement will be forwarded to the Department of Education, Science and Training by 31 May 2007.

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WYONG SHIRE COUNCIL

23 May 2007
To the Ordinary Meeting of Council

Board Report

205 Gosford and Wyong Councils' Water Authority Board Meeting

F2004/06808

SUMMARY

Minutes of the Gosford and Wyong Councils' Water Authority Board meeting held on 16 May 2007.

RECOMMENDATION

That the minutes of the Gosford and Wyong Councils' Water Authority Board meeting held on 16 May 2007 be received and the recommendations contained therein, adopted.

A meeting of Gosford and Wyong Councils' Water Authority Board was held on 16 May 2007. The minutes of that meeting are enclosed.

Enclosure

Minutes of the Gosford and Wyong Councils' Water Authority Board meeting held on 16 May 2007

WYONG SHIRE COUNCIL

23 May 2007
To the Ordinary Meeting of Council

Board Report

**206 Minutes of the Wyong Shire Governance Committee –
9 May 2007**

F2004/07245 MW

SUMMARY

Minutes of the Governance Committee Meeting held on 9 May 2007.

RECOMMENDATION

That the minutes of the Wyong Shire Governance Committee meeting held on 9 May 2007 be received and the recommendations contained therein, adopted.

A meeting of Council's Wyong Shire Governance Committee was held on 9 May 2007 at 9.30am. The minutes of that meeting are attached.

During the meeting the following issues were discussed in more detail:

AUC08 – Internal Auditor's Report**IT Audit of Payroll**

Results of the human resources and payroll applications audit at a Councils Online syndicate level will be tabled at the June to the Council's Online Steering Committee. The process has proved beneficial and it is expected that a similar review of the Oracle financial applications will be undertaken next.

Appointment of Independent Members of Governance Committee

The appointment of Independent Members of Governance Committee will be considered at the 9 May 2007 Ordinary Meeting. The process is considered leading edge in improving Governance.

Management Self Assessment Process

A pilot of the Management Self Assessment (MSA) process with the Roads Unit is being undertaken to assess the resources and time required for a wider roll out of the process. It was noted that it is important that operational management regularly review whether appropriate controls are in place and for executive management to ensure that key operational objectives are being met, key operational processes are being undertaken effectively and primary internal controls over key risks are effectively in place and being undertaken. Wider roll out of MSA will help facilitate these important management activities.

Minutes of the Wyong Shire Governance Committee – 9 May 2007 (contd)

Financial Management

The need to continue the improvement in financial management processes was again stressed. It was noted that council needs to have in place an improved long term financial planning processes. Coupled with this is the need for a long term strategic plan covering in particular asset management, planning and financial matters. It was agreed that the option of undertaking a review similar to those being conducted at several other councils by the Percy Allen Review Group be considered for Wyong.

Enterprise Risk Management Process

It was noted that use of improved technology is being explored to facilitate the management of risks and action items arising from the management plans and the operational plans. Use of improved technology was supported by the Committee. It was agreed that the Governance Committee and management attendees should conduct a workshop on risk management to build on the existing framework.

ICAC Investigations

A letter was received from ICAC in regards to its investigation of the "Wyong Alliance". It indicated that it did not intend to take this matter any further other than to refer it to the Electoral Funding Authority. Initial indications from the Electoral Commissioner are that he is unlikely to pursue the matter further. It was generally considered that the matter should not be pursued any further by Council

Internal Audit Plan

The completion of the 2006/2007 Internal Audit plan will not be able to be completed due to delays in staff transfers and the undertaking of various unplanned activities. Major audits not completed will be re-scheduled for 2007/08. Wider implementation of the Management Self Assessment process will assist meeting future audit plans and additional audit resources are being considered.

AUC09 – Revision of the Governance Committee Charter

The Governance Committee Charter has had some minor procedural aspects revised to better reflect arrangements that will be in place for the independent members of the Committee. The Committee agreed to the revisions.

Minutes of the Wyong Shire Governance Committee – 9 May 2007 (contd)**AUC10 – 2006/07 Management Plan – March 2007 Quarterly Review**

There has been even stronger focus on budget management in the quarter. Management are strongly committed to achieving the budgeted result for the year. Several initiatives have been put in place to address budget over-runs in several operational areas. Management is also committed to achieving management plan action items that it has indicated will be achieved by 30 June 2007.

It was noted that council's exposures in relation to WYCRA are being examined and that a separate report on the matter will be provided to Council.

Attachment 1***Minutes of the Wyong Shire Governance Committee (6 pages)***

23 May 2007
To the Ordinary Meeting of Council

Board Report

**Minutes of the Wyong Shire Governance Committee – 9 May 2007
(Attachment 1)**

WYONG SHIRE COUNCIL

**MINUTES OF THE
WYONG SHIRE GOVERNANCE COMMITTEE
HELD IN WILFRED BARRETT AND TIM FARRELL ROOMS,
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON WEDNESDAY, 9 MAY 2007
COMMENCING AT 9:35 AM**

PRESENT

Councillor N T Rose (Chairperson, Wyong Shire Council)
Councillor R C Stevens (Wyong Shire Council)
Councillor R E Stewart (Wyong Shire Council)
Mr K Yates (General Manager)
Mr J Simpson (Internal Auditor)

APOLOGIES

Councillor R L Graham (Wyong Shire Council)
Councillor W J Welham (Wyong Shire Council)
David Cathers (Director Shire Services)
James Brown (Director Corporate Services)
Garry Teeson (Senior Management Accountant)

IN ATTENDANCE

Gina Vereker (Director Shire Planning)
Cate Trivers (Manager, Financial Services)
Byron O'Loughlin (Management Accountant)
Paul Wise (Manager, Engineering Projects and Contracts)
Mellissa McKee (Corporate Planning Executive)
Dennis Banicevic (External Auditor)
Jarrod Lean (Assistant Internal Audit)

23 May 2007
To the Ordinary Meeting of Council

Board Report

Minutes of the Wyong Shire Governance Committee – 9 May 2007 (Attachment 1) (contd)

9 May 2007
To the Wyong Shire Governance Committee

AUC06 Disclosure of Pecuniary Interest

F2004/06507

The provisions of Chapter 14 of the Local Government Act, 1993 regulate the way in which Councillors and nominated staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public trust.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest must be disclosed as soon as practicable after the start of the meeting and the reasons for declaring such interest.

As members are aware, the provisions of the Local Government Act restrict any member who has declared a pecuniary interest in any matter from participating in the discussions, voting on that matter, and require that member to vacate the Chamber.

Council's Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code also provides for a number of ways in which a member may manage non pecuniary conflicts of interest.

RECOMMENDATION

That Councillors now disclose any pecuniary interests and reasons for declaring such interest in the matters under consideration by Committee at this meeting.

COUNCILLOR ROSE DECLARED A NON-PECUNIARY INSIGNIFICANT CONFLICT OF INTEREST FOR THE REASON THAT HE IS A MEMBER OF THE CATCHMENT MANAGEMENT AUTHORITY BOARD.

AUDIT COMMITTEE RECOMMENDATION

That the report be received and advice of disclosure noted.

23 May 2007
To the Ordinary Meeting of Council

Board Report

**Minutes of the Wyong Shire Governance Committee – 9 May 2007
(Attachment 1) (contd)**

9 May 2007
To the Wyong Shire Governance Committee

**AUC07
Minutes of Wyong Shire Governance Committee – 21 February 2007**

F2004/07245

SUMMARY

The minutes for the Governance Committee held on 21 February 2007, were adopted by Council at its Ordinary Meeting held on 28 February 2007.

RECOMMENDATION

That the report be received and the information noted.

AUDIT COMMITTEE RECOMMENDATION

That the report be received and the information noted.

BUSINESS ARISING

IN REGARDS TO REPORT AUC03 – INTERNAL AUDITOR'S REPORT, INDEPENDENT MEMBERS OF GOVERNANCE COMMITTEE HAVE BEEN INTERVIEWED AND THE RECOMMENDATION WILL BE CONSIDERED AT THE 9 MAY 2007 ORDINARY MEETING.

23 May 2007
To the Ordinary Meeting of Council

Board Report

**Minutes of the Wyong Shire Governance Committee – 9 May 2007
(Attachment 1) (contd)**

9 May 2007
To the Wyong Shire Audit Committee

AUC08 Internal Auditor's Report

SUMMARY

Report on the activities of the Internal Audit Department.

RECOMMENDATION

That the report be received and the information noted

AUDIT COMMITTEE RECOMMENDATION

That the report be received and the information noted and it be noted that the report mentions the following:

- *need to identify appropriate processes for the Management Self Assessment process.*
- *need to give consideration to a strategic financial plan to meet financials in the longer term.*
- *need to look at the process of enterprise risk management to make sure this process is strengthened.*
- *need to notify Councillors in regards to the ICAC investigation.*

23 May 2007
To the Ordinary Meeting of Council

Board Report

**Minutes of the Wyong Shire Governance Committee – 9 May 2007
(Attachment 1) (contd)**

9 May 2007
To the Audit Committee

General Manager's Report
General Manager

AUC09 Revision of the Governance Committee Charter

SUMMARY

The Governance Committee Charter needs to be updated to reflect changes to arrangements for the independent members of the Committee and to update some minor procedural aspects of the Charter.

RECOMMENDATION

That the proposed changes to the Governance Committee Charter be agreed to by the Committee and be recommended to Council for approval.

AUDIT COMMITTEE RECOMMENDATION

That the proposed changes to the Governance Committee Charter be agreed to by the Committee and be recommended to Council for approval.

23 May 2007
To the Ordinary Meeting of Council

Board Report

**Minutes of the Wyong Shire Governance Committee – 9 May 2007
(Attachment 1) (contd)**

9 May 2007
To the Governance Committee

General Manager's Report

AUC010 2006/07 Management Plan – March 2007 Quarterly Review

F2004/07006

SUMMARY

Quarterly report on progress against Council's 2006/07 Management Plan.

RECOMMENDATION

- 1 *That the report be received and noted.*
- 2 *That the revised estimates of income and expenditure for 2006/07 be adopted.*
- 3 *That the Committee note that the Responsible Accounting Officer reports, in accordance with the Local Government (General) Regulation 2005, (Part 9. Division 3; Clause 203) that the financial position of Council is satisfactory having regard to the original estimates income and expenditure and the recommendations made above.*

AUDIT COMMITTEE RECOMMENDATION

- 1 ***That the report be received and noted.***
- 2 ***That the revised estimates of income and expenditure for 2006/07 be adopted.***
- 3 ***That the Committee note that the Responsible Accounting Officer reports, in accordance with the Local Government (General) Regulation 2005, (Part 9. Division 3; Clause 203) that the financial position of Council is satisfactory having regard to the original estimates income and expenditure and the recommendations made above.***

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 10.47 AM.

WYONG SHIRE COUNCIL

23 May 2007
To the Ordinary Meeting of Council

General Manager's Report

207 Information Reports

F2006/02282 MW:SW

SUMMARY

In accordance with Council's Code of Meeting Practice reports for the information of Council are provided for adoption either individually, by nominated exception or englobo.

RECOMMENDATION

That Council determine the method of adoption of the Information Reports for this meeting.

WYONG SHIRE COUNCIL

23 May 2007
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

208 Activities of the Development Assessment Unit

F2004/07830 NL:NL

SUMMARY

The report includes information and statistics regarding the operations of the Development Assessment Unit and covers the submission and determination of development and subdivision applications for the months of April and May.

RECOMMENDATION

That the report be received and the information noted.

Development Applications Received and Determined - March

Type:	Number Received:	Estimated Value \$:	Number Determined:	Estimated Value \$:
Commercial	29	8,725,940	24	15,600,408
Industrial	11	8,955,000	4	1,206,500
Residential	109	12,148,628	53	10,523,863
Other	5	2,111,281	17	1,342,100
Total	154	31,940,849	98	28,672,871

Development Applications Received and Determined - April

Type:	Number Received:	Estimated Value \$:	Number Determined:	Estimated Value \$:
Commercial	19	757,585	23	6,906,000
Industrial	11	4,180,800	8	4,630,000
Residential	98	10,135,737	91	9,105,947
Other	10	48,777	16	709,000
Total	138	15,122,899	138	21,350,947

Activities of the Development Assessment Unit (contd)

Subdivision Applications Received and Determined - March

Type:	Number Received:	Number of Lots:	Number Determined:	Number of Lots:
Commercial	0	0	0	0
Industrial	0	0	0	0
Residential	7	12	7	20
Rural	0	0	0	0
Total	7	12	7	20

Subdivision Applications Received and Determined - April

Type:	Number Received:	Number of Lots:	Number Determined:	Number of Lots:
Commercial	0	0	0	0
Industrial	0	0	0	0
Residential	8	9	10	84
Rural	0	0	0	0
Total	8	9	10	84

Mean Turn-around Time

There were two priority applications determined during the month of March with a mean (average) turn around time of 41 days.

The mean (average) turn-around time for development applications determined during the month of March was 21 days.

There were four priority applications determined during the month of April with a mean (average) turn-around time of 40 days.

The mean (average) turn around time for development applications determined during the month of April was 22 days.

Activities of the Development Assessment Unit (contd)

Other Approvals and Certificates

Type:	Number Determined March:	Number Determined April:
Trees	55	34
Section 149 D Certificates	25	9
Construction Certificates	113	88
Complying Development Certificates	18	13

Enclosure

***Graphs – Development Applications Lodged and
Development Applications Determined***

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WYONG SHIRE COUNCIL

23 May 2007
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

209 Results of Water Quality Testing for Bathing Beaches

F2004/06822 RHM

SUMMARY

Reporting on the results of bacteriological tests for primary recreation water quality for beaches in Wyong Shire. Summer water sampling recommenced in October for the swimming season.

RECOMMENDATION

That the report be received and the information noted.

Summary of Results

In March and April all the ocean beaches had excellent water quality ie were rated as 4 stars. All lake beaches except San Remo and Elizabeth Bay had excellent water quality (4 stars). San Remo and Elizabeth Bay had good water quality (3 stars).

Ourimbah and Tumbi Umbi Creeks and Wyong River continued to have very poor water quality (1 star), with the level of bacterial contamination increasing in comparison to previous results. This is a result of runoff from recent rainfalls flushing pollution into the waterways and the pollution flowing down waterways which have had little flow during the drought.

Standards

The star rating system is based on the National Health and Medical Research Council (1990) Australian Guidelines for Recreational Use of Water. Five results collected over a calendar month are used to determine the star rating.

Results of Water Quality Testing for Bathing Beaches (contd)

Star Rating	Calculation of faecal coliforms FC	Calculation of enterococci (ent)
4 stars	the median FC value is less than or equal to 150, and the maximum FC value is less than 600.	the median ent value is less than or equal to 35, and the maximum ent value is less than 100.
3 stars	the median FC value is less than or equal to 150, and the second highest FC value is less than 600 (but max is greater than or equal to 600).	the median ent value is less than or equal to 35, and the second highest ent value is less than 100 (but max is greater than or equal to 100).
2 stars	the median FC value is greater than 150, and the second highest FC value is less than 600. or b) fails on second highest value: the median FC value is less than or equal to 150, and the second highest FC value is greater than or equal to 600	the median ent value is greater than 35, and the second highest ent value is less than 100. or b) fails on second highest value: the median ent value is less than or equal to 35, and the second highest ent value is greater than or equal to 100
1 star	the median FC value is greater than 150, and the second highest FC value is greater than or equal to 600	the median ent value is greater than 35, and the second highest ent value is greater than or equal to 100

The star rating for a site would be determined as the lowest star rating obtained for FC and ent.

23 May 2007
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

Results of Water Quality Testing for Bathing Beaches (contd)

MARCH 2007

OCEAN BEACHES

LOCATION	MEDIAN FC COUNT (≤150 fc/100ml)	% OF SAMPLES (< 600 fc/100ml)	MEDIAN ENT COUNT (≤35 ent/100ml)	% OF SAMPLES (< 100 ent/100ml)	STAR RATING
Cabbage Tree Bay	4	100	4	100	****
Soldiers Beach	15	100	12	100	****
Gravelly Beach	6	100	6	100	****
Lighthouse Beach	7	100	0	100	****
Shelly Beach	10	100	16	100	****
Toowoan Bay	27	100	6	100	****
Blue Bay	27	100	13	100	****
Blue Lagoon	4	100	2	100	****
Bateau Bay	12	100	5	100	****
Frazer	11	100	0	100	****
Birdie	4	100	1	100	****
Budgewoi	8	100	2	100	****
Lakes	8	100	0	100	****
Hargraves	6	100	3	100	****
Jenny Dixon	7	100	10	100	****
North Entrance	57	100	8	100	****
The Entrance	36	100	22	100	****

RIVER AND LAKE BEACHES

LOCATION	MEDIAN FC COUNT (≤150 fc/100ml)	% OF SAMPLES (< 600 fc/100ml)	MEDIAN ENT COUNT (≤35 ent/100ml)	% OF SAMPLES (< 100 ent/100ml)	STAR RATING
Ourimbah Chittaway Point	1500	0	600	0	*
Toukley Aquatic	70	100	40	60	***
Tumbi Creek Tumbi Umbi	2000	0	1000	0	*
Canton Beach	60	60	70	60	**
San Remo	60	80	40	50	***
Long Jetty	60	100	18	100	****
Chain Valley Bay	22	100	18	100	****
Gwandalan	28	100	13	100	****
Summerland Point	30	100	35	80	****
Wyong River at Wyong	450	0	180	0	**
Elizabeth Bay	7	100	0	100	****
Pelican	17	100	15	100	****

Results of Water Quality Testing for Bathing Beaches (contd)

APRIL 2007

OCEAN BEACHES

LOCATION	MEDIAN FC COUNT (≤150 fc/100ml)	% OF SAMPLES (< 600 fc/100ml)	MEDIAN ENT COUNT (≤35 ent/100ml)	% OF SAMPLES (< 100 ent/100ml)	STAR RATING
Cabbage Tree Bay	15	100	1	100	****
Soldiers Beach	4	100	4	100	****
Gravelly Beach	2	100	0	100	****
Lighthouse Beach	2	100	3	100	****
Shelly Beach	12	100	7	100	****
Toowoan Bay	15	100	12	100	****
Blue Bay	0	100	0	100	****
Blue Lagoon	15	100	6	100	****
Bateau Bay	8	100	6	100	****
Frazer	4	100	6	100	****
Birdie	3	100	0	100	****
Budgewoi	17	100	22	100	****
Lakes	2	100	2	100	****
Hargraves	20	100	10	100	****
Jenny Dixon	4	100	3	100	****
North Entrance	6	100	6	100	****
The Entrance	5	100	2	100	****

RIVER AND LAKE BEACHES

LOCATION	MEDIAN FC COUNT (≤150 fc/100ml)	% OF SAMPLES (< 600 fc/100ml)	MEDIAN ENT COUNT (≤35 ent/100ml)	% OF SAMPLES (< 100 ent/100ml)	STAR RATING
Ourimbah	1100	0	756	0	*
Chittaway Point					
Toukley Aquatic	30	100	20	80	***
Tumbi Creek	1500	0	900	0	*
Tumbi Umbi					
Canton Beach	26	100	24	100	***
San Remo	67	100	60	50	***
Long Jetty	30	100	30	50	****
Chain Valley Bay	8	100	12	100	****
Gwandalan	22	100	21	80	***
Summerland Point	3	100	6	100	****
Wyong River at Wyong	890	50	600	10	*
Elizabeth Bay	20	100	10	100	***
Pelican	8	100	13	100	****

WYONG SHIRE COUNCIL

23 May 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

210 Indirect Water Recycling

F2004/00133 MR:DP

SUMMARY

Report on actions required to implement indirect water recycling into the Shire's potable water system.

RECOMMENDATION

That the report be received and the information noted.

BACKGROUND

At its meeting held on 14 February 2007 the following was resolved in relation to Notice of Motion No 048;

"1 *That staff identify and report back to the Council the actions required to implement indirect water recycling into the Shire's potable water system.*

The report should include:

- a the process (water treatment)*
- b examples (in Australia of regions where the process is currently utilised)*
- c required infrastructure*
- d changes to / introduction of enabling legislation*
- e indicative cost*
- f potential benefits of Indirect Water Recycling, and*
- g possible timeframe of implementation*

2 *That the planned community consultation/ information forums include Indirect Water Recycling as an agenda item."*

Indirect Water Recycling (contd)

1 Actions Required to Implement Indirect Water Recycling (of Sewage Effluent) into the Shire's Potable Water System

Legislation does not currently exist within Australia to allow the proactive recycling of sewage effluent for potable use. Consequently, the exact nature of the required treatment processes, infrastructure requirements, costs involved and risks associated with the implementation of indirect potable reuse cannot be advised. However, the following is provided based on the current understanding within the water industry.

a Probable Treatment Process

The treatment processes required would most likely include nutrient removal, micro or ultra filtration, reverse osmosis and at least two disinfection barriers. The treated effluent would then need to be returned to a water supply source, where it is diluted with existing water supplies in a ratio of at least one part treated effluent to three or four parts raw water and re-treated within the Water Treatment Plant before distribution.

b Examples (in Australia) of Regions where the Process is Currently Utilised

The proactive reuse of sewage effluent for potable water reuse is not currently practised within Australia. South East Queensland Water is currently undertaking a detailed review of indirect potable reuse using effluent from Brisbane and the Gold Coast wastewater treatment plants. This scheme is yet to be approved for implementation. Toowoomba Water recently failed in an attempt to gain community and Government support for an indirect recycling project.

Singapore has implemented indirect reuse of sewage effluent. This provides for approximately 1% of the water supply being replaced with effluent. This limited recycling provides an opportunity to prove the technologies involved and gain an understanding of the issues relevant to managing indirect recycling before embarking on larger scale recycling.

"Unplanned" indirect potable reuse of sewage effluent occurs when towns extract water from a river downstream of another town's wastewater discharges. Examples of "un-planned" indirect reuse can be found along most inland rivers within Australia. This recycling would involve dilution rates much greater than the 3 or 4 indicated above, however treatment of the effluent would generally be to a lesser standard than that detailed above.

c Required Infrastructure

The main opportunity for indirect potable reuse within the Shire is the further treatment and disinfection of sewage effluent from treatment plants that currently discharge effluent from the Norah Head Outfall and returning the treated effluent to Mardi Dam.

Indirect Water Recycling (contd)

The infrastructure required for such a scheme would include:

- * Pipework and pump station to divert effluent to the Wyong South Treatment Plant
- * Pre-treatment facilities incorporating chemical dosing, flocculation, sedimentation and filtration equipment to remove larger particles and nutrients.
- * Micro/Ultra filtration plant to remove fine suspended matter and pathogens.
- * Reverse Osmosis plant to remove remaining pathogens and undesirable salts.
- * Advanced disinfection facilities such as ultra violet radiation and chlorination.
- * Pump Station to transfer the treated effluent to Mardi Dam.

d Changes To/Introduction of Enabling Legislation

The development of guidelines and standards to formalise planned indirect potable reuse will likely be the joint responsibility of the NSW Department of Health, Department of Water and Energy and Department of Environment and Conservation at the State level and the Environment Protection and Heritage Council and Natural Resource Management Ministerial Council (forming the National Water Quality Management Strategy) at a Federal level.

The recently published Australian Guidelines for Water Recycling provide for a risk based approach to the development of a range of recycling schemes, for non potable reuse. These guidelines have been developed along similar lines to the Australian Drinking Water Guidelines.

A second phase of the development of the Australian Guidelines for Water Recycling is now underway and is expected to be completed by the end of 2007. This phase will provide guidance for the use of treated sewage to augment water supplies and environmental flow substitution.

e Indicative Cost

WaterPlan 2050 has identified a capital cost of about \$59 million for Indirect Potable Reuse of 20ML/day. This cost includes the construction of a 20ML/day advanced water reclamation plant at Wyong South STP and transfer pipeline to the lower Wyong River Weir or Mardi Dam.

Indirect Water Recycling (contd)

f Potential Benefits of Indirect Water Recycling

Indirect potable reuse has the potential to significantly reduce reliance on existing water sources. The potable reuse of treated effluent would reduce the dependence on extractions from the existing surface water and bore water sources as well as reducing sewage effluent discharges to the ocean.

g Any Potential Risks Associated with Indirect Water Recycling

In the development of enabling legislation and guidelines, the NSW Department of Health and the Australian Drinking Water Guidelines would need to identify and assess any potential risks of indirect water recycling and provide guidelines that address those risks. Human health and environmental health/sustainability would be considered within the legislation/guidelines.

Lack of community support or community objection to the use of recycled wastewater in the town water supply system is a risk that would need to be addressed by Council.

h Possible Timeframe of Implementation

The timeframe for implementation of indirect potable reuse is subject to the provision of enabling legislation and guidelines. Significant testing and validation periods would need to be undertaken prior to implementation. The proposed Toowoomba recycling scheme included a minimum of two years of pilot testing before implementation. Community acceptance would also need to be achieved prior to any decision to proceed. From the time any decision is made to proceed with an indirect effluent recycling project, the following indicative timeframes for implementation would be involved:

- * Concept Preparation and Development Approval - 12 months
- * Detailed Design, Calling Tenders and Awarding Contracts - 8 months
- * Construction - 12 months
- * Pilot Testing - 24 months

WYONG SHIRE COUNCIL

23 May 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

**211 IPaRT Determination - Pricing Arrangements for Recycled
Water and Sewer Mining**

F2004/06782 KRG:IT

SUMMARY

The Independent Pricing and Regulatory Tribunal (IPaRT) has issued a Determination in relation to pricing arrangements for recycled water and sewer mining schemes for non-potable uses.

The Determination is applicable to Sydney Water Corporation, Hunter Water Corporation, Gosford City Council and Wyong Shire Council.

RECOMMENDATION

That the report be received and the information noted.

INTRODUCTION

Recycled water is sourced from treated sewage effluent. Sewer mining involves the extraction of untreated sewage from the sewerage network and subsequent treatment for use by a party other than the network operator.

The IPaRT Determination has arisen from the greater demand for recycled water, particularly as a result of the current drought and population growth placing pressure on water agencies in metropolitan areas.

The determination relates to schemes that may be categorised as either:

- * Mandated Schemes
- * Voluntary Schemes

Mandated schemes are those where customers are required to connect to recycled water infrastructure.

Voluntary schemes are those where customers may choose to connect to recycled water infrastructure.

The Tribunal has set a pricing methodology for periodic charges for all mandated schemes except for the Rouse Hill Recycled Water Scheme operated by Sydney Water Corporation where the Tribunal has set actual prices.

IPaRT Determination - Pricing Arrangements for Recycled Water and Sewer Mining (contd)

The Tribunal has also specified a methodology for calculating Recycled Water Developer Charges that a water agency may levy on mandated schemes.

The Tribunal has not set any pricing determination or methodology for Voluntary Schemes. Customers are free to negotiate prices with the water agency with these prices being subjected to an agreement.

The Tribunal has not set any pricing determination or methodology for sewer mining. Parties who connect to and extract untreated sewage from a water agency's sewerage system will be free to negotiate a price and establish an agreement with the water agency.

Periodic Pricing for Mandated Recycled Water Schemes

The Tribunal has established a methodology embodying a number of pricing guidelines for use in calculating periodic prices for recycled water services provided by mandated schemes.

This methodology will only apply to new mandated schemes commissioned after 1 July 2007. The new methodology will not replace pricing arrangements for mandated schemes that are in place prior to 1 July 2007.

The Tribunal requires that the water agencies isolate or "ring fence" all costs and revenues associated with mandated recycled water schemes to demonstrate transparency in price setting.

The Tribunal methodology for mandated schemes provides for pricing to be calculated based on the following:-

- 1 The maximum cost that can be recovered for a recycled water scheme is the efficient "total direct cost" of the scheme.
- 2 The retail price of any potable water used to supplement the recycled water scheme is to be included as an operating cost of the recycled scheme when calculating the "total direct cost".
- 3 The maximum level of costs that can be offset against recycled water scheme costs must be calculated in accordance with set guidelines.
- 4 Other than offset costs, all costs are to be recovered through recycled water usage and fixed charges and development charges.
- 5 The total revenue that a water agency can recover must be calculated in accordance with set guidelines.

IPaRT Determination - Pricing Arrangements for Recycled Water and Sewer Mining (contd)

- 6 The recovery of avoided or deferred costs must be calculated in accordance with set guidelines.
- 7 Recycled water prices are to include a usage component which is to be set no greater than the potable water usage price, unless the Tribunal's prior approval has been obtained.
- 8 If potable water 'top up' of the recycled water supply exceeds more than 10% by volume on an annual basis, the recycled water usage charge is to be calculated as a percentage of the potable water price.
- 9 Prices may include a fixed component.
- 10 Where customers are subject to developer charges, the developer charge is to be calculated according to the Recycled Water Developer Charges Determination.
- 11 Where customers are not subject to developer charges, any residual cost not recovered through usage charges is to be recovered via an annual fixed charge or in the case of non-residential customers, may be recovered through a negotiated up-front capital contribution.
- 12 Agencies are to review recycled water prices at least once every three years. Between price reviews, recycled water prices may be indexed for inflation.
- 13 Agencies are required to publish and publicly exhibit their calculations of recycled water prices.
- 14 Costs and revenues from recycled water schemes are to be ringed fenced (isolated) from the regulated business.

Developer Charges for Mandated Recycled Water Schemes

The Tribunal has established a methodology for calculating developer charges for mandated recycled water schemes. The principles underlying the methodology are:

- * full recovery of relevant costs.
- * new development areas meeting the cost of recycled water services provided.
- * charges may vary between schemes to reflect actual costs.
- * only recycled water assets that are clearly linked to the development may be included in the cost calculations.

IPaRT Determination - Pricing Arrangements for Recycled Water and Sewer Mining (contd)

This methodology is consistent with the current methodology for calculating water and sewerage developer charges.

The determination provides for the following process to be followed in the preparation of a DSP;

- * community consultation.
- * transparency of the cost calculation within the DSP.
- * comparison of the calculated recycled water developer charge with existing developer charges detailed within the DSP.

Under the IPaRT Act, the Tribunal may arbitrate any disputes between the water agencies and developers that may arise out of the price setting process.

Current Status Of Council Recycled Water Schemes

At present, Council has the following recycled water schemes:

- * Bateau Bay
- * Toukley
- * Charmhaven/Wyong South/Gwandalan/Mannering Park Schemes.

The Bateau Bay and Toukley Sites provide a reticulated metered supply of recycled water for non-potable uses to various sites.

The other schemes provide recycled water to water carters (free of charge) for non-potable uses; ie road construction etc, from each of the four sewage treatment plants.

With the exception of the connection of the residential component of Magenta Shores (part of the Toukley effluent reuse scheme) which is mandatory, all other connections to these six schemes are voluntary and as such are not subject to price setting by IPaRT.

The Magenta Shores scheme is a pre-existing mandatory scheme and therefore is exempt from the requirements of this determination. However, in calculating existing charges for the Magenta Shores scheme Council has used a methodology consistent with the new IPaRT methodology with existing charges based on full cost recovery. As such the existing charges would not vary if re-calculated using the IPaRT methodology.

Any new mandated scheme for recycled water developed in Wyong Shire in the future, after 1 July 2007, will be subject to pricing arrangements in accordance with this determination.

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Director's Report
Shire Services Department

IPaRT Determination - Pricing Arrangements for Recycled Water and Sewer Mining (contd)

Charges relating to the existing voluntary schemes incorporate various levels of cost recovery. Early schemes, particularly those associated with servicing the Tuggerah Lakes and Toukley Golf Courses incorporated significant financial incentives to use recycled effluent. Accordingly the contracts for effluent re-use for these facilities provide for a gradual move to full cost recovery over a number of years. Other voluntary agreements are subject to the effluent re-use charge detailed in the Annual Schedule of Fees and Charges. This charge is currently less than full cost recovery to provide an incentive for effluent re-use however will increase to full cost recovery by about 2009/2010.

WYONG SHIRE COUNCIL

23 May 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

212 General Works in Progress Report

F2004/07830 JEM

SUMMARY

General works in progress and completed for the period March 2007 to April 2007.

RECOMMENDATION

That the report be received and the information noted.

ROADS AND DRAINAGE SECTION OVERVIEW

Roadworks have commenced at The Ridgeway Stage 1a, Tumbi Umbi, Warrigal / Taylor / Gosford, The Entrance and Dicksons Road, Jilliby. Works include upgrade of the road pavement and minor drainage works.

Road and drainage works continue at Eastern Road, Tumbi Umbi. This work includes new road pavement between Roberta Street and Bertram Avenue including kerb and guttering and the construction of a shared pathway.

Capital Works In Progress

The table below is a status report of current major road rehabilitation and drainage projects.

Item Description	Estimated Cost \$	% Completed	Estimated Completion Date	Comments
Kathleen White Crescent, Killarney Vale	480,000 (road) 110,000 (drainage)	100		Upgrade of drainage and road pavement including kerb and gutter.
Cresthaven / Rotherham roundabout, Bateau Bay	350,000	100		Construction of a roundabout at the intersection of Cresthaven Avenue and Rotherham Street to improve road safety.
Lukela Avenue, (Budgewoi School). School Crossing, Road closure	186,000	100		Relocation of school crossing in Lukela Avenue. Includes road closure at Woodlawn Avenue to improve pedestrian safety.

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Director's Report
Shire Services Department

General Works in Progress Report (contd)

Item Description	Estimated Cost \$	% Completed	Estimated Completion Date	Comments
Ted Doyle Oval car park, Berkeley Vale	353,000	100		Car park reconstruction adjacent to Ted Doyle Oval. Adjacent to new skate park currently under construction.
Eastern Road Stage 3, Tumbi Umbi	904,000	60	June 2007	Upgrading existing pavement to an RTA standard Main Roads Pavement – 300mm Steelstone with 100mm AC with new kerb and gutter and mid block traffic calming device. Works include a shared path each side of Eastern Road.
Wiowera Road, Kanwal – Road Closure	80,000	100		Road closure at intersection of Wiowera Road and Pacific Highway to improve traffic and pedestrian safety. Includes extension of pathway to primary school.
Dicksons Road, Jiliby Ch: 1635 to Ch: 2010 Stage 1, 2007.	290,000	70	May 2007	Upgrading of the existing gravel road (approximately 320m) to current standards including sealing upgrade of culverts and placing concrete dish drain.
Warrigal / Taylor / Gosford Intersection	265,000	70	May 2007	Upgrade of Intersection with roundabout and new kerb and gutter to improve traffic and pedestrian safety at the intersection.
Brush Road, Ourimbah Brush Road, Stage 2	440,000	100		Upgrading of approximately 350 metres of existing gravel road to a sealed pavement. Includes widening and realignment of one major bend to improve road safety.

General Works in Progress Report (contd)**GENERAL MAINTENANCE WORK**

	North	South
Drainage Maintenance	Hamlyn Terrace Woongarra Lake Munmorah San Remo Lake Haven	Killarney Vale Wyong Tuggerah Berkeley Vale Mardi
Replacement of Damaged Footpaving	Hamlyn Terrace Budgewoi Woongarra Toukley	Wyong The Entrance
Sign Maintenance	Toukley Kanwal Hamlyn Terrace Blue Haven Wadalba Budgewoi Tuggerawong San Remo Canton Beach Wyongah Tuggerawong Jilliby	Toowoan Bay Berkeley Vale Ourimbah Long Jetty The Entrance Killarney Vale Shelly Beach Bateau Bay Tuggerah Wyong Mardi Chittaway
Shoulder Restoration	Jilliby	Wyong Chittaway Point
Heavy Patching	Charmhaven	Killarney Vale
Table Drain Maintenance	Gwandalan Summerland Point Mannering Park Chain Valley Bay San Remo Charmhaven Canton Beach Budgewoi	Berkeley Vale Long Jetty Bateau Bay The Entrance Wyong Ourimbah
Rural Road Grading	Dooralong Yarramalong Ravensdale Jilliby	Ourimbah Palmdale
Footpaving Construction	Nil	Nil
Carpark Maintenance	Toukley Budgewoi Norah Head	North Entrance Toowoan Bay

General Works in Progress Report (contd)

	North	South
Fencing	Charmhaven	Nil
Vegetation control	Dooralong Norah Head Jilliby Yarramalong Budgewoi Buff Point Woongarra Halloran Hamlyn Terrace	Tuggerah Berkeley Vale Tumbi Umbi Ourimbah Watanobbi Wyong The Entrance Killarney Vale Mardi

CONTRACTS AND SPECIAL PROJECTS SECTION

The table below is a status report of current major projects.

Contract No	Contract Description/Contractor	Contract Status	% Completed
CPA/94532	Excavation and lining of cell 4.2A, Buttonderry landfill	Contract works now in Defects Liability Period. Cell commenced receiving waste on November 2 2006.	100
CPA/94560	Construction of Sewer Pumping Stations B3, B4 and pipelines, Lucinda Avenue Killarney Vale	Parks and Gardens day labour completed landscaping of both pump stations. Contract works in Defects Liability Period.	100
CPA/94531	Consultancy for investigation and design of Link Road and trunk water main	Designs, additional studies and investigations required by conditions of consent are advanced. Significant design problems presented by soft foundation soils in some sections. Preferred option of a bridge selected. Separate briefing to Council planned. Consultancy expected to be complete by end of July 2007.	80
CPA/98601	Design development and construction of the Morisset to Warnervale water trunk main	Pipeline connecting Morisset to Warnervale completed and commissioned on 15 December 2006 and has been in operation since. The Contractor is currently completing a cross connection to the future Bushells Ridge Reservoir underneath the F3 Freeway and the installation of covers to valve pits.	96

General Works in Progress Report (contd)

Contract No	Contract Description/Contractor	Contract Status	% Completed
CPA/97897	Feasibility Study – shared pathway linking The Entrance North and Toukley	Overall preferred route option still under review. Commenced process for obtaining approvals for likely section of route through Crown land north from Terilbah Place, North Entrance. Short section of pathway from caravan park to Terilbah Place, North Entrance has commenced construction.	2
CPA/99940	Construction of Wadalba Sports Facility	Issues with quality of growing medium for turf have delayed completion. Other landscaping, building and facility works still progressing. Anticipate completion of works by October 2007 with use of fields by May 2008 – subject to a growing medium solution being agreed by early June 2007.	60
CPA/94559	Design and Documentation of Woongarra Sportsfields	Master Plan well advanced but under review due to proposed inclusion of a new Rugby Clubhouse and spectator seating facility (funded by Rugby). Cost plan under review due to changes in scope. Purchase of land from developer to be finalised. CMA issues appear to be practically resolved.	40
CPA/113453	Holiday Parks Upgrade Works – Design Consultancy	Design consultancy tender including masterplan, full documentation and the preparation of building tender packages for four holiday parks was let to BHI Architects on the 27 November 2006. These upgrade works proposed for the next five years are as identified in the Business Development Strategy for Holiday Parks. A letter has been sent to all van owners advising of the proposed upgrade works and inviting comment to the Masterplan. Development Application for the Masterplan submitted to Council on 1 May 2007.	29
CPA/104754	Construction of Fishway, Ourimbah Creek Upper Weir	Construction proceeding satisfactorily. No significant issues. Construction expected to be complete mid May 2007.	85

General Works in Progress Report (contd)

Contract No	Contract Description/Contractor	Contract Status	% Completed
CPA/98705	Construction of Edwards Creek Bridge, Dooralong	Contract works in Defects Liability Period.	100
CPA/97631	Lake Haven Leisure Centre	Contract works in Defects Liability Period.	100
CPA/96544	Blue Haven Community Centre	Contract works in Defects Liability Period.	100
CPA/110431	Mardi Landfill Remediation	Stage 1 works completed (Report on recommended additional investigations to the site). Stage 2 works (includes additional investigation and testing) for the final report is yet to be finalised and let.	45
CPA/107166	Warnervale District Sports Fields	Project still on hold until the Warnervale Town Centre Master Plan is finalised. No change to status.	5
CPA/94561	Dredging of Tumbi Creek	Dredging contract awarded and due for completion September 2007. Preparatory work underway by contractor to commence on site at end of May. Completion of project will require special saltmarsh remediation works on foreshore and assessment report – programme for final completion of total project by April 2008.	10
CPA/116821	Construction of underground concrete tank for oval irrigation - Taylor Park Oval, The Entrance	Construction of tank and associated civil works completed. Commissioned by end May 2007.	100
CPA/116882	Construction of underground concrete tank for oval irrigation – Harry Moore Oval, Toukley	Construction of tank and associated civil works completed. Commissioned by end May 2007.	100
CPA/115906	Construction of underground concrete tank for oval irrigation – Baker Park Oval, Wyong	Construction of tank has commenced, with associated civil and irrigation works to be completed by end June 2007.	40
CPA/116822	Construction of underground concrete tank for oval irrigation – Bill Sohler Park, Ourimbah	Construction of tank and associated civil works have been completed, with irrigation connection works to be completed during May 2007.	90
CPA/112098	Design and Construction of Berkeley Vale Skate Park	Contract works now in Defects Liability Period.	100

General Works in Progress Report (contd)

Contract No	Contract Description/Contractor	Contract Status	% Completed
CPA/113366	Detail Design and Construction of Central Coast Lifetime Learning Centre at Palmdale	Contractor making good progress (weather permitting). Preparation works to Cycle Track and Access Road completed. New Administration Building, Pavilion and Gymkhana erected and clad. Programmed finish in July 2007.	50
F2004/07982	The Entrance Refurbishment Works	Current actions include: 1 Rubber wetpour to steps in Vera's Watergarden to be completed by end May 2007. 2 Source tiles and obtain quotes for replacement of tiles to pedestrian ramps to tiled areas in The Entrance Town Centre – to be completed by end May 2007. 3 Replacement of lights to the Sails ready to commence. Source lights and obtain quotes for lights to Fountains. These works to be completed by May 2007. 4 Arrange for refurbishment of public toilets beside Visitor Information Centre by September 2007.	65
CPA/105697	Toukley Aquatic Centre Refurbishment	Refurbishment works completed and pool re-opened November 2006. Defects Liability Period commenced. Finalising payments for work. Monitoring operation of pool.	100
CPA/98240	Buttonderry Waste Management Facility Entry Masterplan	Re-design of the Small Vehicle Waste Transfer Facility done. Currently awaiting consultants (structural and services) to document Stages 1 and 2. Construction not expected to commence until third quarter of 2007 with completion expected by December 2008.	25
CPA/113367	The Entrance Community Facility Stage 2	Design consultant appointed to commence pre-construction activities. Site works programmed to commence August 2007 for completion in February 2008.	20

WYONG SHIRE COUNCIL

23 May 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

213 Works in Progress Report – Water and Sewerage

F2004/07830 KRG:DP

SUMMARY

Water supply and sewerage works in progress and completed for March 2007.

RECOMMENDATION

That the report be received and the information noted.

WATER SUPPLY

Work has commenced on the relocation of water mains and services along Panorama Avenue, at the intersections with Charmhaven and Wirriga Avenues, Charmhaven.

The work consists of the adjustment of approximately 84 metres of 100mm AC water main and the installation of four new isolation valves. The existing water mains are being adjusted to facilitate the construction of road and drainage works to be undertaken along this section of Panorama Avenue.

The work, estimated to cost \$60,000, is being carried out by Council's Water and Sewerage day labour staff and is due for completion in late May 2007. The work is being funded from Council's Roads and Drainage rolling works programme.

Water Storage

As at 23 April 2007 the storage in Mangrove Creek Dam was 10.4% while the total system storage was 14.2%. Mooney Dam is currently 53.5% and Mardi Dam 86.1%.

For March 2007, 168.6mm of rain had fallen at Mangrove Creek Dam. This was 56.2mm higher than the March long term average rainfall of 112.4mm.

SEWERAGE

Work has commenced on the relocation of a section of the Wyong South Effluent Disposal main (WSEDM) near Lake Road Tuggerah.

Works in Progress Report – Water and Sewerage (contd)

The work consists of the relocation and replacement of approximately 600 metres of 600mm diameter ductile iron cement lined pipeline with an equivalent sized glass reinforced plastic pipeline including associated connection works. The WSEDM was required to be relocated approximately 250 metres east of its existing location to enable the expansion of TransGrid's 330/132kV substation at Tuggerah as part of the electricity grid upgrade for the Central Coast. In order to meet TransGrid's timetable the relocation was required to be completed by May 2007.

The work, estimated to cost \$446,315 is being carried out by Council's Water and Sewerage day labour staff and is due for completion in early May 2007. The work is being funded in total by TransGrid.

PROCESS

Water Treatment

All water produced by the Water Treatment Plant has met National Health and Medical Research Council Guidelines.

Sewage Treatment

All effluent discharged from the sewage treatment plants has met Environmental Protection Authority Licence requirements.

Effluent Re-use Projects

The tender for the Toukley Reclaimed Water Plant Upgrade has been issued to selected tenderers, closing on 31 May 2007. The upgrade is expected to be completed by December 2007, providing additional production capacity to meet increasing demands.

The ultra violet disinfection system at Bateau Bay Reclaimed Water Treatment Plant has been installed and is scheduled for commissioning the week beginning 30 April 2007.

Council staff have assisted a range of community organisations with applications for grants under the NSW Water Savings Fund, for projects based on both effluent reuse and stormwater harvesting. These projects will complement the works already underway to maintain sporting facilities in reasonable condition throughout the drought.

Projects submitted include;

- * Wyong Leagues Club – Stormwater harvesting
- * Budgewoi Soccer Club – Effluent reuse extension

Works in Progress Report – Water and Sewerage (contd)

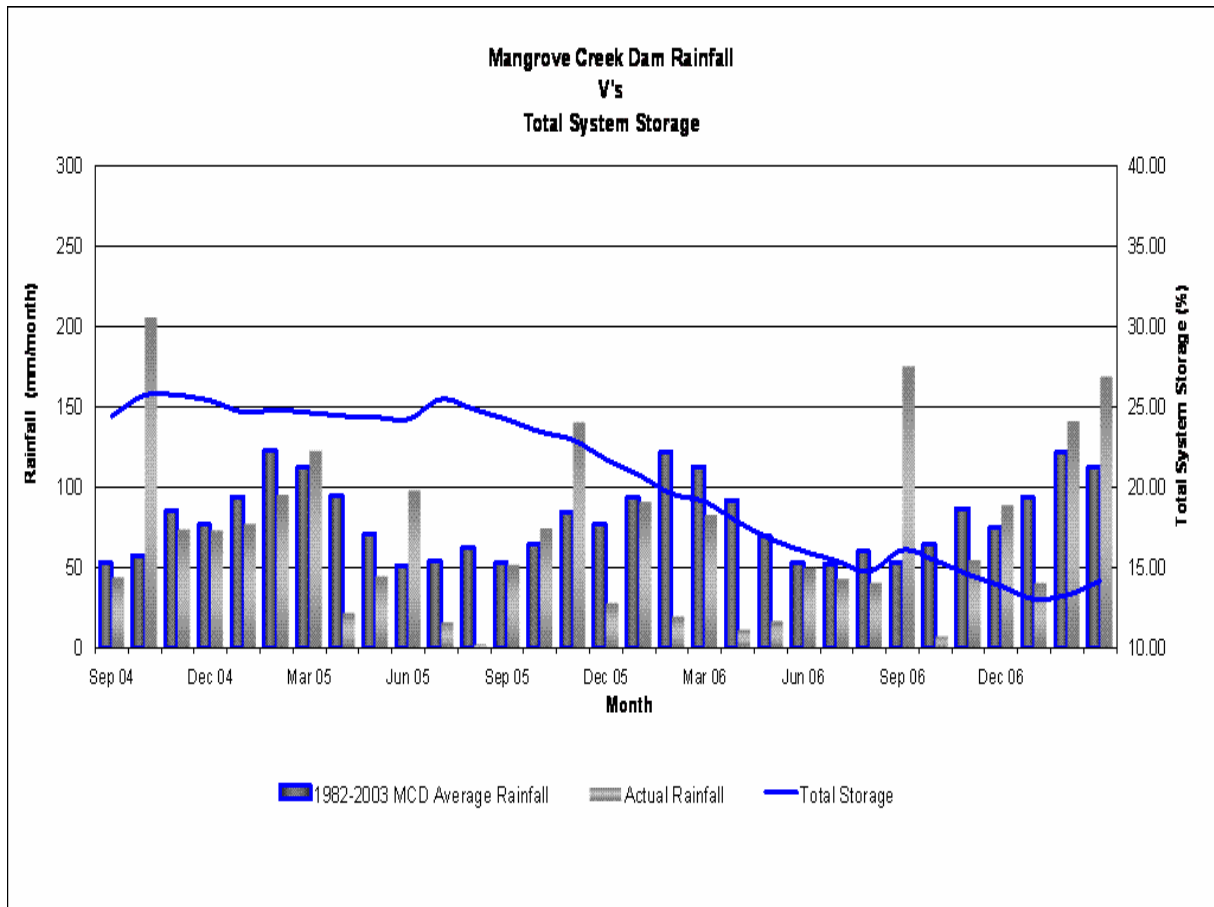
- * Halekulani Oval – Effluent reuse extension to supplement stormwater harvesting
- * Slade Park (Budgewoi) – Effluent reuse extension
- * Buff Point Oval – Effluent reuse extension
- * Edgewater Park Irrigation – Effluent reuse extension
- * Mingara Stormwater Harvesting Improvements
- * Mingara Pool Backwash Water Recovery System
- * Gwandalan Public School – Effluent reuse extension
- * Adelaide St Oval – Stormwater supply extension from Mingara
- * Regional Hockey Club – Stormwater harvesting
- * Additional Storage – Toukley Effluent supply system
- * Northlakes Oval – Stormwater harvesting
- * Blue Haven – Stormwater
- * Chittaway Oval – Stormwater harvesting
- * Eastern Rd Oval – Stormwater harvesting
- * Doyalson RSL – Stormwater harvesting
- * Killarney Vale Athletic Field – Stormwater harvesting
- * Wattanobbi Oval – Stormwater harvesting

Applications for grants closed on 24 April 2007. Successful applications will receive grant funding in July 2007.

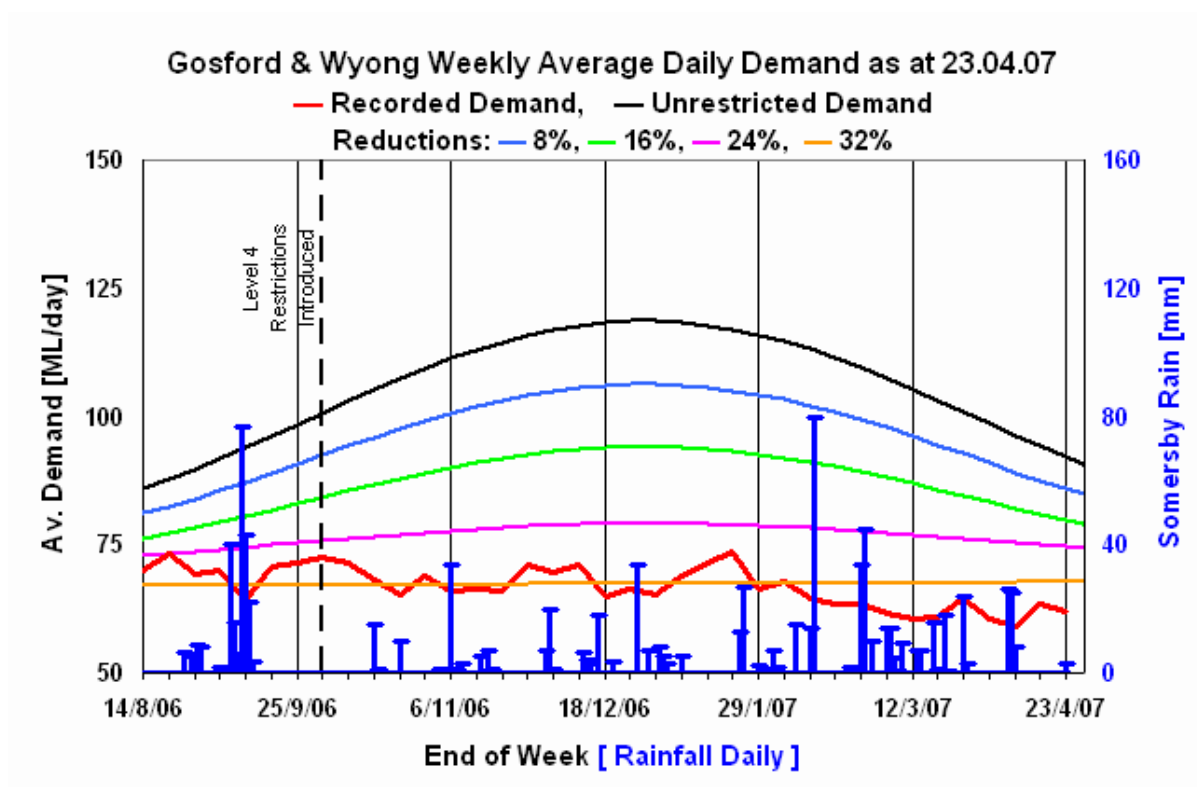
Attachment 1 Actual Total Storage September 2004 – March 2007 (2 pages)

Enclosure Actual Total Storage September 2004 – March 2007

Works in Progress Report – Water and Sewerage (Attachment 1)



Works in Progress Report – Water and Sewerage (Attachment 1) (contd)



- 1 **Black Line** Wyong Shire's normal demand when no restrictions are in place.
- 2 **Blue line** 8% reduction (based on the 'black line') over the entire year.
- 3 **Green Line** 16 % reduction (based on the 'black line') over the entire year.
- 4 **Pink Line** 24% reduction (based on the 'black line') over the entire year.
- 5 **Orange Line** 32% reduction (based on the 'black line') over the entire year.
- 6 **Blue bars** rainfall at Somersby in mm/day.
- 7 **Red line** Wyong Shire's average daily demand.

WYONG SHIRE COUNCIL

23 May 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

214 Finalisation of Contracts

F2005/03113 DBT:DBT

SUMMARY

Reporting on the details of contracts that have been completed and finalised for the period October 2004 to February 2007. There are still a number of contracts which have been awarded during this period, but still 'active'. Further regular reports will be provided on the status of the outcome of these when these have been finalised.

RECOMMENDATION

That the report be received and the information noted.

Section 55 of the Local Government Act 1993 defines the circumstances under which a council must invite tenders before entering into a contract. Part 7 The Local Government (Tendering) Regulation 1999 prescribes the procedural process to be adopted for the invitation, submission, opening, consideration and acceptance of tenders.

Whilst the circumstances covered by Section 55 of the Act are numerous and varied, the requirement most generally applicable to the majority works or services undertaken by Wyong Council, is that tenders must be invited for any works or services involving an estimated expenditure of \$150,000 or more. Council is at liberty, but is not obliged under the Act, to invite tenders for any works and services involving an expenditure of less than \$150,000.

In accordance with those provisions, all Council contracts involving expenditure of \$150,000 or more are tendered in accordance with the Regulation and reported to Council for determination.

When reporting tenders to Council and recommending the tender most appropriate for acceptance, it is often recommended that a contingency allowance also be approved thus increasing the potential value of the contract. While there may be many reasons for recommending the approval of a contingency allowance, the most common are:

- * To provide pre-approved funds to allow staff to deal with unforeseen and possibly urgent circumstances during the course of the contract such as encountering rock, poor foundations and/or water charged ground.
- * To allow the contract superintendent to effectively fulfil his contractual role in a timely manner.

Finalisation of Contracts (contd)

- * To allow staff to mitigate any potential cost penalties to Council were a contractor to be delayed or impeded in its work by causes for which Council might be responsible.
- * To allow staff to take opportunities to make changes or carry out additional works, that enhance the value of the contract work or service, at the most appropriate time.

Enclosed are details of all contracts determined by Council for acceptance that have been completed in the period from October 2004 to February 2007.

- * "Construction Contracts" - those contracts usually associated with the construction of new or replacement community infrastructure.
- * "Consultancy Contracts" – those contracts usually involving the investigation or design of new or replacement community infrastructure.
- * "Service Contracts" – those contracts usually involving the provision of a community service over an extended time period, or,
- * "Supply Contracts" – those contracts relating to the supply of an asset such as an item of plant, a consumable such as a material supply or a combination of the two, such as the supply and laying of asphaltic concrete.

Of the 24 reported contracts, two contracts have been the subject of previous individual reports to Council detailing the reasons for exceeding the total approved funds. Of the remaining 22 reported contracts, the final cost was contained within the total approved funds, (ie approved contract award amount plus contingency allowance), for all but four of the contracts.

In the case of those contracts where the contingency was not fully expended, the balance of the funds remained in the relevant operational area.

Enclosure

Significant Contracts Presented for Council Resolution

WYONG SHIRE COUNCIL

23 May 2007
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

215 Outstanding Questions Without Notice and Notices of Motion

F2006/02282 MW:SW

SUMMARY

Report on outstanding Questions Without Notice and Notices of Motion.

RECOMMENDATION

That the report be received and the information noted.

Question Asked	Asked By	Meeting Asked	Department
Q003 – Business Arising – 14 December 2005 (Staff sent Memo to Councillor Best on 7 February 2006, 11 October 2006 and 1 March 2007 requesting an answer)	Councillor Welham	23 January 2006	Corporate Services
Q038 – International Cities, Town Centres and Communities Organisation and Conference (A response will be reported once a reply is received from Councillor Welham)	Councillor Pavier	28 March 2007	Corporate Services

Motion of Urgency	Department	Meeting Asked	Status
049A – Safety of Beach Patrons at Magenta Beach	Shire Planning	14 February 2007	Awaiting response from Department of Planning.

23 May 2007
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

Outstanding Questions Without Notice and Notices of Motion (contd)

Notice of Motion	Department	Meeting Asked	Status
<p>314 – Regional Sporting Facilities</p> <p><i>Investigations into the possibility of constructing an integrated regional sporting/educational facility to service the Tuggerah / Mardi area.</i></p>	Shire Planning	9 August 2006	<p>A prospective purchaser has been asked to include the development of regional sports fields in their feasibility investigations. This includes the need for seasonal flora and fauna surveys due to the presence of threatened species. The results will be reported back to Council as soon as Council receives a reply.</p>

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WYONG SHIRE COUNCIL

23 May 2007

To the Ordinary Meeting of Council

Corporate Services Department

Answers to Questions Without Notice

Q037 – Extreme Sports Park at San Remo

Asked by Councillor Welham at the Ordinary Meeting held on 28 March 2007
F2004/09092

Council staff review the current state and operation of the Extreme Sports Park at San Remo and opportunities to involve the community more at the site in a structured way?

At the Ordinary Meeting of Council held on 26 July 2000 Council endorsed the construction of an Extreme Sports Park in San Remo after consideration of a report dealing with the need for alternative recreational facilities in this area of the Shire.

Due to the rapid population growth within the Shire, increase in youth population and rise in popularity of activities such as BMX, mountain bike riding and mountain boarding, it was considered appropriate that Council provide a facility that would meet the needs of the Central Coast. This regional-level facility was planned to meet social objectives by providing a challenging venue where youth could meet and enjoy social interaction while participating in a sport that satisfies their needs. It would also meet sporting objectives through providing a venue for unstructured sport for local use and as a venue for holding state and national events.

Subsequently, construction of the Extreme Sports Park commenced in March 2001 in an old water storage dam owned by Delta Electricity on the corner of Highview Avenue and Scenic Drive, San Remo. Due to the size and cost of the total project, staging of the works was considered appropriate. This would also allow the use of the site to be monitored and further facilities provided to match user demands and interest.

Stage 1 of the facility involved the construction of the dirt jumps, trails, sediment ponds, car parking spaces and access road and was officially opened in December 2002.

Stage 2 of the facility involves the construction of an amenities building, park signage, shelters and a skate park, which was officially opened in December 2005.

The expansion of the skate park into a regional-level skate facility (similar to The Entrance skate park), a rock climbing wall, beach volleyball courts and office buildings have been proposed as possible potential future stages for the Park.

To ensure the continued development and success of this unique facility, staff investigated the potential management of the Extreme Sports Park by a professional facility management company. This approach is consistent with other major Council owned recreation facilities such as swimming pools and recreation centres.

During 2002 advertisements were placed in local and national newspapers as part of a marketplace survey to ascertain the interest and expertise of existing companies to manage the Park on Council's behalf.

Answers to Questions Without Notice (contd)

A review of these submissions, together with comments received from ten other potential companies that contacted Council, indicated among other matters, that Stage 1 of the Park did not have sufficient infrastructure such as an on site building with office space, amenities, kiosk etc that would allow a company to manage the Park and achieve a reasonable financial return. Any action to manage this development without such infrastructure is likely to incur a higher management subsidy by Council due to the lack of facilities. Due to the significant resources required in providing such infrastructure, this idea was not pursued any further at that time with the day to day management and maintenance being undertaken by Council.

Current Operations

A marked increase in antisocial activity has been evident at the Extreme Sports Park since the conclusion of a regular presence of Council Rangers on site. This behaviour has included vandalism of the downhill jumps, amenities building, perimeter fence and skate park. Illegal entry and use of the park by motorbikes is also frequent and has caused regular damage to the downhill jumps. In December 2006, significant damage to the skate bowl occurred when a garbage bin full of rubbish and accelerant was lit and thrown into the skate facility. This damage has since been repaired, at a cost of over \$11,000. The facility also suffers as a result of conflict between authorised and unauthorised users.

The result of this antisocial activity has been a decrease in the number of people frequenting the facility. Whilst patronage increased following the construction of the skate facility, overall use has again declined as many younger users do not feel safe accessing the facility without adult supervision. Based upon irregular inspections by staff and feedback from the community, it is estimated that currently, approximately 12 people per day are using this facility during the week and up to 20 people per day during weekends.

Opportunities to involve the community in a structured way

This Park is the first of its kind in Australia. There is potential for further development as a modern recreational facility for extreme sports enthusiasts, while catering for riders from beginners to experts, however this is limited to a degree due to the isolation of the site. The Park currently does not have any structured activities such as competition, clubs or events operating from the complex. The local community could become involved in the coordination of such programs which would build social capital in the area as well as providing opportunities for young people to guide the management of the park.

Council's Lake Haven Gravity Youth Centre co-ordinates and hosts a number of youth development programs in the north of the Shire. Whilst extreme sports programs could be co-ordinated from Gravity Youth Centre, it would be more appropriate to deliver such programs from a facility located on site at the Extreme Sports Park. This would serve to provide the local community and user groups with a venue for program development and delivery as well as creating a sense of place for young people that is not evident in the area at this time.

Answers to Questions Without Notice (contd)

A youth outreach service could also have a presence at an on-site facility in order to improve the engagement of marginalised young people in positive aspects of community life. Such a service could be provided internally by Council or be outsourced however there would be significant capital and recurrent costs associated with either of these models.

Future Action

From discussions with leaders in the San Remo community it is evident that there is a willingness to establish a voluntary management committee for this facility. In order to identify the scale of this interest and the potential opportunities available for partnerships with relevant agencies, Council staff will consult with a number of community groups during May 2007. Community workers, youth advisory services, outreach services, local Schools, NSW Department of Sport and Recreation, potential sporting clubs and the wider community will be invited to attend.

A number of potential opportunities, such as the establishment of an Extreme Sporting Club; development of programmes, coaching programmes and events; the establishment of a voluntary management committee and future capital developments will be discussed.

Following this forum, staff will brief Council on potential opportunities and options for the future development and operation of the Extreme Sports Park.

Conclusion

The Extreme Sports Park at San Remo would benefit from the establishment of structured programs delivered on site. The Park currently consists of a series of dirt jumps, a skate facility and amenities with additional facilities planned for further development. Staff will continue to engage with the community in order to identify opportunities and interest for greater voluntary involvement at the Park and to ascertain how to improve facility usage and community development generally in the San Remo area.

23 May 2007
To the Ordinary Meeting of Council

Corporate Services Department

Answers to Questions Without Notice (contd)

Q040 – Activities and Achievements of Business Central Coast for Financial Year 2006/2007

Asked by Councillor Eaton at the Ordinary Meeting held on 11 April 2007
F2004/07942

Could Council report on the activities and achievements of Business Central Coast for this financial year?

Business Central Coast has provided Council with “Quarterly Reports 2006/2007”. Council has summarised the three quarterly reports which is attached for your information - Activities and Achievements for the Year to Date.

Attachment 1

Council’s Summary of the Achievements and Activities of Business Central Coast (4 pages)

23 May 2007
To the Ordinary Meeting of Council

Corporate Services Department

Answers to Questions Without Notice (contd)

Q040 – Activities and Achievements of Business Central Coast for Financial Year 2006/2007 (Attachment 1)

Council's Summary of the Activities and Achievements of Business Central Coast 2006/2007

Objective 1: Promoting the Region					
Outcome 1: That the region of the Central Coast is widely recognised, acknowledged and supported as a viable, realistic and sound choice as a regional business location with the resulting relocation of new business and industry appropriate to the region					
Annual Target		Q 1	Q 2	Q3	Year to Date Targets Met
1	Direct Contact with 5,000 businesses, generating 30 qualified leads with 10 being converted	No	No	No	No
2	23 visits by local businesses and delegations	Yes	No	Yes	Yes
3	11 Visits by interstate and overseas businesses and delegations	No	Yes	No	No
4	50 requests for Central Coast logos	Yes	No	No	No
5	Increase number of relevant hits and requests for information on BusCC website and CCOOnline by 20%	Yes	Yes	No	Yes
6	6 New contacts with relevant state and federal political representatives and department/agency heads	Yes	Yes	Yes	Yes
7	5 major projects identified and assisted	Yes	Yes	Yes	Yes
8	4 Major projects managed by BusCC	Yes	Yes	No	Yes

Answers to Questions Without Notice) (contd)**Q040 – Activities and Achievements of Business Central Coast for Financial Year 2006/2007 (Attachment 1) (contd)**

9	Enquiries by businesses from non-English speaking background to increase by 20%	Yes	Yes	Yes	Yes
10	Participated in 1 overseas event	No	No	No	No
11	6 regular meetings of the Central Coast Relocations Working Group with attendance levels at 80%	Yes	Yes	No	Yes

Objective 2: Promoting Regional Growth					
Outcome 2.1: Growth of start-up and existing business and industry with an emphasis on current Small to Medium Enterprise base					
Annual Target		Q 1	Q 2	Q3	Year to Date Targets Met
1	Small Business Field Officer	Yes	Yes	Yes	Yes
2	30 referrals to CCBMS/CCBAS*	Yes	Yes	Yes	Yes
3	6 joint events and workshops	No	Yes	No	No
4	Establish link to regional economic sub-portals on CCOonline	In Progress	In Progress	In Progress	In Progress
5	Chambers of Commerce membership to grow by 10%	Yet to be determined	Yes	Not Known	Not Known
6	Complete the 15 regional economic sub-portals	No	No	No	No
7	10 New home based business registrations	Yet to be determined	Yet to be determined	Yes	Yet to be determined
Outcome 2.2: Additional Cluster Development					
1	20% increase in membership of current clusters and 10% overall growth in the number of clusters	Not known	No	Not known	Not known
Outcome 2.3: Continued success of the Small Business Incubator					
1	85% occupational level	Yes	Yes	Yes	Yes
2	Key Performance Indicators achieved	Yes	Yes	Yes	Yes
3	Increase tenancies from outside the region by 10%	Yes	No - N/A	No - N/A	No - N/A

23 May 2007
To the Ordinary Meeting of Council

Corporate Services Department

Answers to Questions Without Notice (Attachment 1) (contd)

Q040 – Activities and Achievements of Business Central Coast for Financial Year 2006/2007 (Attachment 1) (contd)

Outcome 2.4: The regional web based portal, Central Coast On Line (CCOnline) to be widely accepted and further developed as a regional economic development, business and communication tool					
1	Economic sub-portals completed	No	Yes	Yes	Yes
2	5 additional sub-portals	Yes	Yes	Yes	Yes
3	20% increase in number of registered users	Yes	Yes	Yes	Yes
4	30% increase in number of hits	Yes	Yes	Yes	Yes
5	Funding received for Work for the Dole	Yes	Yes	Yes	Yes
6	500 hits on foreign language sites	No	No	No	No
*Note: CCBMS - Central Coast Business Mentor Service CCBAS - Central Coast Business Advisory Service					
Objective 3: Promoting Awareness of Regional Infrastructure Requirements					
Outcome 3.1: The Central Coast is attractive for business growth and relocation with the appropriate infrastructure is in place to support business activity					
	Annual Target	Q 1	Q 2	Q3	Year to Date Targets Met
1	10 letter of support provided	Yes	Yes	Yes	Yes
2	5 initiatives supported	Yes	Yes	Yes	Yes
3	3 new service entities established as a result of assistance	Yes	No	No	No
Outcome 3.2: A comprehensive Business Profile is available for start-up and relocation prospects, potential investors, government and other regional stakeholders					
1	Contact 15 stakeholders	Yes	Yes	Yes	Yes
2	Develop data base to hold regional profile	Yes	Yes	Yes	Yes
3	Increase hits to data base by 20%	Not yet	Yes	Yes	Yes
4	Fee for service programme established and used by 5 years	N/A	No	No	No
Outcome 3.3: The Board of BusCC provide advocacy for major investment projects that demonstrate significant benefit to the region					
1	6 representatives made	Yes	No	No	No

Answers to Questions Without Notice (Attachment 1) (contd)**Q040 – Activities and Achievements of Business Central Coast for Financial Year 2006/2007 (Attachment 1) (contd)**

Objective 4: Addressing Regional Skills Shortages					
Outcome 4.1: The Central Coast region has an available and appropriately skilled workforce to meet the current and future needs of business and industry					
Annual Target		Q 1	Q 2	Q3	Year to Date Targets Met
1	Become involved in 3 new School/Youth projects	Yes	Yes	Yes	Yes
2	25 schools adopted	N/A	N/A	N/A	N/A
3	Australian Technical College open in June 2007	On track	On track	On Track	On Track
4	25 schools/training providers with sub-portals	Under testing	Deferred	Deferred	No
Outcome 4.2: The region attracts skilled workers from other parts of Australia and overseas					
1	12 applications certified	Yes	Yes	No	Yes
2	15 skilled workers identified as having entered the region	Yes	No	No	No
3	10 new businesses identified to assist with skill shortages	Yes	Yes	No	Yes

Objective 5: Supporting Community and Economic Development					
Outcome 5.1: Positive improvement of the regions socio-economic environment through sustainable community economic development					
Annual Target		Q 1	Q 2	Q3	Year to Date Targets Met
1	5 new projects assisted	No	Yes	No	No
2	Attract investment from 3 new sources	Yes	No	No	No
3	Financially support 2 projects	No	No	No	No